

2021 SESSION - DIGEST OF ENACTMENTS

DIGEST OF HB 1001 (Updated April 22, 2021 2:49 pm - DI 120)

State budget. Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Provides that a transaction directly related to the 2023 NCSL Legislative Summit of the National Conference of State Legislatures is exempt from state gross retail (sales) and use taxes and certain food and beverage taxes. Provides that in 2022, the office of management and budget shall calculate the total amount of state reserves, including a balance in the state tuition reserve account. Provides that in 2022, if the combined reserve balance is \$2,500,000,000 or more, the budget agency shall transfer the amount that exceeds \$2,500,000,000 to the pre-1996 account of the teachers' retirement fund. Provides provisions for opioid litigation and settlements, including opt out provisions for political subdivisions. Specifies distributions and uses of funds received from opioid litigation settlements that resolve existing state and political subdivision litigation lawsuits as of January 1, 2021. Replaces the governor with the budget director or the budget director's designee on the state board of finance. Renames the personal services/fringe benefits contingency fund as the state agency contingency fund (fund). Allows the fund, in addition to other current authorized uses, to be used for necessary expenses for existing programs as determined by the governor and budget director. Establishes the Pokagon Band Tribal-state compact fund and specifies the purposes for the fund. Replaces the state librarian with the budget director as a member of the enhanced access fee committee. Allows the horse racing commission to authorize a permit holder to conduct more than 14 races on one racing day. Allows a permit holder to conduct pari-mutuel wagering at the permit holder's racetrack or satellite facility on certain horse races that are conducted during a time when the permit holder's facility is not open. Transfers the operations of the Indiana department of gaming research into a newly established gaming research division of the Indiana gaming commission. Repeals the exoneration fund. Provides that the criminal justice institute may not pay compensation to an individual for wrongful incarceration during a term of imprisonment for a crime other than a crime for which the individual was wrongfully incarcerated. Replaces the director of the budget agency with the director of the office of management and budget as an ex officio voting member of the board of trustees of the Indiana public retirement system. Removes the annual appropriation provision for the examinations fund of the state board of accounts. Repeals the regional cities development fund. Establishes the regional economic acceleration and development initiative (READI) fund to provide grants and loans to support economic development and regional economic acceleration and development. Provides that the Indiana economic development corporation (IEDC) shall administer the fund. Requires the IEDC to establish a policy for the regional economic acceleration and development initiative. Establishes the Indiana career accelerator fund to be administered by INvestED Indiana. Provides that INvestED Indiana may award financial assistance awards from the fund to assist individuals in obtaining credentials from qualified education programs. Defines "qualified education program" for purposes of an award. Replaces the state superintendent of public instruction with the secretary of education or the secretary's designee as a member of the distressed unit appeal board. Specifies the provisions that apply

when the distressed unit appeal board suspends payments on loans or advances from the common school fund. Provides certain add backs and subtractions used in determining Indiana adjusted gross income. Changes the definition of "Internal Revenue Code" in the adjusted gross income tax law to mean the Internal Revenue Code of 1986 as amended and in effect on March 31, 2021. Provides that in the case of an amendment to a federal statute that is made outside of Title 26 of the United States Code and affects federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax attributes, the federal statute shall be considered to be part of the Internal Revenue Code as amended and in effect on March 31, 2021. Makes changes to the state income tax deduction for unemployment compensation. Amends the venture capital investment tax credit to apply to taxpayers that provide qualified investment capital to certain qualified Indiana investment funds (qualified fund). Provides that the IEDC may only certify a fund as a qualified fund if the fund meets the definition of a venture capital fund under federal regulations and the fund makes investments according to specified policy requirements and priorities. Provides that a taxpayer may not claim a credit certified with regard to a qualified fund before July 1, 2023. Specifies the maximum available tax credits in a calendar year with regard to a qualified fund. Increases the maximum available tax credits in a calendar year with regard to qualified Indiana businesses under current law, including an additional increase in the maximum amount if the qualified Indiana business is a minority business enterprise or a women's business enterprise. Caps the total amount of credits that the IEDC may award in a calendar year at \$20,000,000, provided that not more than \$7,500,000 is awarded for proposed investments in a qualified fund. Provides a tax credit against adjusted gross income tax and financial institutions tax liability for monetary contributions to a qualifying foster care organization equal to 50% of the amount of the contribution, but not to exceed \$10,000 for a taxable year. Defines a "qualifying foster care organization". Caps the total amount of the tax credits allowed in any state fiscal year to \$2,000,000. Sunsets the tax credit on July 1, 2025. Provides that, in the case of the Hoosier business investment tax credit, the IEDC may under a written agreement accelerate payment (at a discounted amount) of any unused excess tax credit that certain taxpayers would otherwise be eligible to carry forward to a subsequent tax year. Provides that a written agreement for an accelerated payment may include a provision for liquidated damages: (1) for failure to comply with the terms and conditions for the tax credit; (2) that are in addition to any tax assessment the department of revenue may make for noncompliance; and (3) in the case of a partnership, S corporation, or similar pass through entity, that are personally guaranteed by the partners, shareholders, or members of the pass through entity. Provides that the total amount of accelerated tax credits that the IEDC may approve may not exceed \$17,000,000 in a state fiscal year. Adds certain procedural, accounting, and reporting requirements regarding the local income tax. Increases the special purpose local income tax rate that may be imposed in a county that is a member of a regional development authority. Provides that, beginning July 1, 2021, all aviation fuel excise tax revenue is transferred to the airport development grant fund. (Under current law, 50% of the aviation fuel excise tax revenue is transferred to the general fund and 50% is transferred to the airport development grant fund.) Imposes an excise tax, known as the electronic cigarette tax, on the retail sale of vapor products and consumable material in Indiana at a rate of 15% of the gross retail income received by the retail dealer for the sale (does not include closed system cartridges). Imposes a wholesale tax on the distribution of closed system cartridges

at a rate of 25%. Extends the expiration date of the Nashville food and beverage tax. Deposits the revenue from the excise tax in the state general fund. Repeals the deposit of a part of the wine excise tax rate collected on each gallon of wine in the wine grape market development fund and requires the department of state revenue to instead deposit that part of the wine excise tax in the state general fund. Delays, to June 30, 2023, the sunset of provisions regarding public-private agreements that provide that legislative approval is not required to impose user fees on certain projects. Specifies that, except for those certain projects, the general assembly must enact authorizing legislation before the Indiana department of transportation (INDOT), the Indiana finance authority (IFA), or an operator may enter into public-private agreements that impose user fees on motor vehicles for use on highways and roads in existence or under construction on July 1, 2011. Provides that the IFA must be a party to any public-private agreement that requires payments to be made to an operator after the operator receives final payment for construction. Specifies the IFA's bonding authority for public-private partnership projects. Removes annual budget committee review of the distribution formula established by Indiana department of transportation for the public mass transportation fund. Requires budget committee review before certain money may be transferred from the local road and bridge matching grant fund. Establishes the Internet crimes against children fund to be administered by the state police department. Specifies the uses of the fund. Requires an authorized service provider to use at least 95% (instead of 75%) of the reimbursement rate increase to pay payroll tax liabilities and to increase wages and benefits paid to direct care staff. Deletes a provision providing that money in the mental health and addiction forensic treatment services account at the end of the state fiscal year does not revert to the state general fund. Requires the office of the secretary of family and social services to report on the progress in the development of a risk based managed care program for Medicaid recipients who are eligible to participate in the Medicare program and receive nursing facility services. Requires budget committee review of a request for proposal for the procurement of a Medicaid program before the request for proposal may be issued. Provides that the office of the secretary of family and social services may apply to the United States Department of Health and Human Services regarding a waiver to implement the mobile integrated healthcare program and to receive funding through Section 9813 of the American Rescue Plan (ARP). Makes a change to a provision for annual transfers to the Marion County health and hospitals corporation. Specifies that the office of the secretary of family and social services may not give certain preference under the in-home early education services reimbursement program based on the county in which a child is located. Adds certain fee provisions under the state permit program for the implementation of federal regulations for the disposal of coal combustion residuals in landfills and surface impoundments contained in Senate Bill 271. Extends the expiration of the hospital assessment fee and the quality assessment fee from June 30, 2021, to June 30, 2023. Requires a school corporation that cannot meet the minimum annual salary threshold for full-time teachers to submit a report to the department of education. Provides that if the amount of state tuition support distributed to a school corporation for a particular state fiscal year is greater than the amount of state tuition support distributed for the preceding state fiscal year, the school corporation may not expend an amount for full-time teacher salaries during a state fiscal year that is less than the amount the school corporation expended for full-time teacher salaries in the preceding state fiscal year. Requires each school

corporation to expend at least 45% of the state tuition support distributed to the school corporation during the state fiscal year for full-time teacher salaries. Provides a waiver application process for a school corporation that cannot meet the requirement. Removes a provision that prevents unused money appropriated to the department of education for the advanced placement program from reverting to the state general fund. Extends the expiration date for funding of certain charter schools for adults. Extends the ability of the state board of education to authorize new innovation network charter schools from June 30, 2021, to June 30, 2023. Increases the amount of a grant under the charter and innovation network school grant program. Specifies provisions that apply to advances under the charter school and innovation school advance program. Specifies factors in determining an eligible pupil for purposes of the ADM count. Provides that, for purposes of determining basic tuition support for a school corporation, the department of education (department) must review the daily attendance of each student to determine whether, of the instructional services that the student receives from a school corporation, at least 50% is virtual instruction. Changes the eligibility requirements to receive choice scholarships. Makes changes to the amount of tuition an eligible choice scholarship student is entitled to receive to attend a choice scholarship school. Establishes the Indiana education scholarship account program (program). Provides that, after June 30, 2022, a parent of an eligible student or an emancipated eligible student may establish an account in the program. Defines "eligible student" as a student with a disability who requires special education. Provides that an eligible student who has an account and attends a qualified school is eligible to receive an annual grant amount that may be used to pay for tuition at an accredited nonpublic school or education related expenses. Provides that the treasurer of state shall administer the program. Removes all fees for a license to carry a handgun and makes conforming amendments. Increases the amount of funds that may be expended for purposes of the special employment and training services fund. Makes changes to the threshold amount that requires payment into the unemployment insurance benefit fund. Increases the amount the commissioner of workforce development shall release each year to Vincennes University for training provided to apprenticeship programs approved by the United States Department of Labor, Bureau of Apprenticeship and Training, from \$1,000,000 to \$4,000,000. Requires, with exceptions, the department of child services to: (1) enter into an agreement and provide an adoption subsidy to each adoptive parent of a child with special needs who is eligible for an adoption subsidy; and (2) allocate to the adoption assistance account funds necessary to make the adoption subsidy payments. Specifies the amount of adoption subsidy payments. Allows the judges of the Knox circuit and superior courts to jointly appoint a magistrate to serve the Knox County courts. Authorizes a qualified city, subject to the same requirement for a resolution of the legislative body, to enter into leases financed with incremental tax revenue from the allocation area for a term not to exceed 25 years for the purpose of financing a mixed use development project. Defines "qualified city" and "mixed use development project" for purposes of these provisions. Specifies that a member appointed by the governor to the northwest Indiana regional development authority (development authority) shall be designated as chair. Requires that certain members appointed to the development authority must reside in certain locations. Requires that affirmative votes to authorize action by the development authority include the vote of the chair. Specifies that one member appointed by the governor to the development authority must reside in

Porter County. Requires money from judicial insurance adjustment fees to be deposited in the state general fund. Appropriates amounts for defeasing bonds. Provides that unexpended and unencumbered amounts appropriated to the legislative services agency in a state fiscal year ending before July 1, 2022, do not revert to the state general fund. Extends the judicial and legislative branch leave conversion pilot program through June 30, 2023. Appropriates \$600,000,000 from the state general fund to the pre-1996 account of the teachers' retirement fund. Makes appropriations to the Indiana public retirement system and the treasurer of state for specified cost of living adjustments. Provides that augmentation is allowed from funds in each account created within the federal economic stimulus fund. Urges the legislative council to assign to an appropriate interim study committee during the 2021 legislative interim the task of studying the issues of affordable housing, workforce housing, and "missing middle" housing in Indiana. Requires the department of education to prepare and submit a report to the legislative council concerning the availability of federal funding that may be used to hire school counselors for high schools, with a focus on career counseling and planning for technical or vocational training paths. Allows the budget agency to augment the county jail maintenance contingency fund appropriation from the state general fund for the 2020-2021 state fiscal year by an amount not to exceed \$3,000,000 to cover jail and parole holds. Makes conforming changes.

DIGEST OF HB 1002 (Updated April 5, 2021 2:28 pm - DI 136)

Civil immunity related to COVID-19. Protects health care providers from professional discipline for certain acts or omissions arising from a disaster emergency unless the act or omission constitutes gross negligence, willful or wanton misconduct, or intentional misrepresentation. Provides that a health care provider is not protected from professional discipline for actions that are outside the skills, education, and training of the health care provider, unless certain circumstances apply. Specifies that orders and recommendations issued by local, state, and federal government agencies and officials during a state disaster emergency do not create new causes of action or new legal duties. Specifies that the orders and recommendations are presumed irrelevant to the issue of the existence of a duty or breach of a duty. Prohibits filing a class action lawsuit against a defendant in a civil action allowed by the statute. Specifies that a governmental entity or employee is not liable if a loss results from an act or omission arising from COVID-19 unless the act or omission constitutes gross negligence, willful or wanton misconduct, or intentional misrepresentation. Provides that a person is not liable to a claimant for loss, damage, injury, or death arising from COVID-19 unless the claimant proves that the person caused the loss, damage, injury, or death by an act or omission constituting gross negligence, willful or wanton misconduct, or intentional misrepresentation. Provides immunity from civil liability to certain persons, entities, and facilities providing health care and other services for certain acts or omissions related to the provision of health care services and other services during a state disaster emergency. Extends COVID-19 health care immunity during periods of disaster emergency after February 29, 2020, and before April 1, 2022. Resolves conflicts between SEA 1 and HB 1002.

DIGEST OF HB 1004 (Updated March 22, 2021 3:45 pm - DI 133)

Small business restart grant program. Establishes the Hoosier hospitality small business restart grant program (program) to provide grants to eligible entities to accelerate economic recovery from the impacts of the coronavirus disease (COVID-19) pandemic. Establishes the small business restart grant fund (fund). Provides that the Indiana economic development corporation (corporation) administers the program and fund. Allows the corporation to award grants from the fund. Provides parameters for the program. However, authorizes the corporation to change the parameters of the program, which, if a change is made, must be reviewed by the budget committee at the meeting following the change. Makes an appropriation.

DIGEST OF HB 1006 (Updated March 16, 2021 2:48 pm - DI 133)

Law enforcement officers. Requires the Indiana law enforcement training board to establish mandatory training in de-escalation as part of the use-of-force curriculum, and requires de-escalation training to be provided as a part of: (1) pre-basic training; (2) mandatory inservice training; and (3) the executive training program. Establishes a procedure to allow the Indiana law enforcement training board to decertify an officer who has committed misconduct. Defines "chokehold" and prohibits the use of a chokehold under certain circumstances. Specifies that a law enforcement officer who turns off a body worn camera with the intent to conceal a criminal act commits a Class A misdemeanor. Requires an agency hiring a law enforcement officer to request the officer's employment record and certain other information from previous employing agencies, requires the previous employing agency to provide certain employment information upon request, and provides immunity for disclosure of the employment records. Makes an appropriation to the Indiana law enforcement training academy for making capital improvements.

DIGEST OF HB 1007 (Updated April 13, 2021 2:08 pm - DI 133)

State health improvement plan and grant program. Requires the state department of health (department), in consultation with the office of the secretary of family and social services, to study and prepare a plan (plan) to improve the health and behavioral health of Indiana residents based on specified criteria. Requires the department to submit and present the plan to the interim study committee on public health, behavioral health, and human services (interim study committee). Requires the department to prepare and present an annual report to the interim study committee regarding the progress made in meeting the metrics and goals of the plan. Requires that the department establish and maintain on the department's Internet web site a web page that indicates the performance and progress of the metrics and goals of the most significant areas identified in the plan. Establishes the prevention and addressing of health issues and challenges grant program (grant program). Establishes the prevention and addressing of health issues and challenges grant fund. Requires the department to administer the grant program. Provides requirements for grant proposals and specifies the types of proposals for which the grants must be awarded. Requires the management performance hub to develop and publish on an Internet web site a web page that tracks Indiana's metrics on the most significant areas of health and

behavioral health impacting Indiana residents and demonstrate any progress made in these metrics. Provides that the web page must include specific progress reported by organizations awarded a grant under the grant program.

DIGEST OF HB 1008 (Updated April 5, 2021 4:06 pm - DI 133)

Student learning recovery grant program. Establishes the: (1) student learning recovery grant program; and (2) student learning recovery grant program fund (fund). Provides that, to be eligible to receive a grant, an eligible entity must develop and submit a student learning acceleration plan (plan). Establishes requirements for a plan and certain information reporting requirements for those eligible entities that are awarded a grant. Requires, before November 1, 2021, and November 1, 2022, the department of education to prepare and submit a report to the interim committee on education. Appropriates to the fund from the state general fund for the purposes of the program \$150,000,000 for the 2021 state fiscal year.

DIGEST OF HB 1009 (Updated April 20, 2021 4:39 pm - DI 104)

TANF program. Increases the state earned income tax credit to an amount equal to 10% (instead of 9%) of the federal earned income tax credit that an individual claimed for a taxable year. Provides that for purposes of the Temporary Assistance for Needy Families program, income earned by a certain individual in the household who is participating in or pursuing a postsecondary degree, a workforce certificate, a pre-apprenticeship, or an apprenticeship may not disqualify an eligible household from receiving benefits, and may not be considered in determining the amount of assistance.

DIGEST OF HB 1025 (Updated April 5, 2021 4:07 pm - DI 133)

Enterprise zone renewals. Provides that an enterprise zone may be renewed for an additional five year period if the fiscal body of the municipality in which the enterprise zone is located adopts a resolution to renew the enterprise zone. Provides that a zone business located in the renewed enterprise zone may only access the property tax deduction incentive.

DIGEST OF HB 1030 (Updated April 20, 2021 4:18 pm - DI 87)

Removal of a county elected officer. Allows a county executive and county fiscal body to adopt identical resolutions to initiate a court action to remove the county's auditor, treasurer, recorder, surveyor, or assessor (county officer) for: (1) neglect of duties; (2) charging illegal fees; or (3) failing to be physically present in the county officer's office for a reasonable amount of time each month. (Under current law, an action for removal of an officer may only be initiated in court on the oath of a person and for a violation described in (1) or (2)). Provides that it is a defense to an action for a violation described in (3) that the county officer's absence was due to serious illness of the county officer or the county officer's spouse, parent, child, or stepchild or military service.

DIGEST OF HB 1032 (Updated April 1, 2021 3:26 pm - DI 140)

Newborn safety devices. Provides for placement of a newborn safety device at any facility that is staffed by an emergency medical services provider on a 24 hour per day, seven day per week basis, provided the newborn safety device: (1) is located in an area that is conspicuous and visible to staff; and (2) includes a dual alarm system that is connected to the facility and is tested at least one time per month to ensure the alarm system is in working order. Provides for placement of a newborn safety device at any fire department, including a volunteer fire department that: (1) meets the minimum response time established by the county, not to exceed four minutes; (2) is located within one mile of a hospital, police station, or emergency medical services station that meets certain requirements; (3) is equipped with an alert system that, when the newborn safety device is opened, automatically connects to the 911 system and transmits a request for immediate dispatch of an emergency medical services provider to the location of the newborn safety device and is tested at least one time per month to ensure the alert system is in working order; and (4) is equipped with an independent video surveillance system that allows at least two members of a fire department to monitor inside the newborn safety device at all times. Provides that a person who in good faith voluntarily leaves a child in a newborn safety device located at such a facility or fire station is not obligated to disclose the parent's name or the person's name. Makes conforming amendments.

DIGEST OF HB 1033 (Updated March 25, 2021 12:50 pm - DI 133)

Residency of police officers and firefighters. Revises residency requirements for members of police and fire departments to require that members: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department.

DIGEST OF HB 1039 (Updated March 8, 2021 2:34 pm - DI 133)

Military award license plates. Provides that the surviving spouse of a Purple Heart recipient may retain the Purple Heart specialty license plate as long as the surviving spouse does not remarry. Specifies that the surviving spouse is not eligible to receive a modified disability registration plate. Establishes the Armed Forces Expeditionary Medal specialty license plate.

DIGEST OF HB 1040 (Updated March 25, 2021 5:30 pm - DI 133)

Sudden cardiac arrest of students. Provides that sudden cardiac arrest information sheets currently required to be provided by each school corporation, charter school, or state accredited nonpublic school to a parent of an applicable student must include: (1) the nature and warning signs of sudden cardiac arrest; and (2) information about electrocardiogram testing. Adds definition of "applicable student". Makes changes to the definition of "athletic activity". Provides that the department of education (department) must maintain guidelines, information sheets, or forms on the department's Internet web site. Provides that, if an applicable student is suspected,

as determined by a game official, coach from the student athlete's team, certified athletic trainer, marching band leader, physician assistant, advanced practice registered nurse, licensed physician, or other official designated by the student athlete's school entity, of experiencing a symptom of sudden cardiac arrest in a practice for an athletic activity or in an athletic activity, the applicable student shall be removed from practice or play at the time that the symptom is identified. (Current law provides that, if a student athlete is suspected of experiencing a symptom of sudden cardiac arrest in a practice for an athletic activity or in an athletic activity, the student athlete shall be removed from practice or play at the time that the symptom is identified.) Allows a licensed athletic trainer, physician assistant, or advanced practice registered nurse to evaluate whether an applicable student is experiencing a symptom of sudden cardiac arrest. Requires that an applicable student may not return to practice or play until the coach, marching band leader, or other official designated by the applicable student's school entity has: (1) provided information to the applicable student's parent about sudden cardiac arrest; and (2) received verbal permission from a parent of the applicable student that the applicable student may return to practice and play. Requires a coach, marching band leader, or certain other leaders, in a manner and frequency determined by the state board of education, to complete the sudden cardiac arrest training course offered by a provider approved by the department. Provides that a coach, marching band leader, and certain other extracurricular activity leader who completes the course and provides coaching or other leadership services in good faith is not personally liable for damages in a civil action as a result of a sudden cardiac arrest incurred by an applicable student participating in an athletic activity for which the coach, marching band leader, or other leader provided coaching or leadership services, except for an act or omission by the coach, marching band leader, or other extracurricular activity leader that constitutes gross negligence or willful or wanton misconduct. Makes technical corrections (a legal guardian is included in the definition of a parent in IC 20).

DIGEST OF HB 1055 (Updated April 5, 2021 3:01 pm - DI 133)

Tribal-state compact. Codifies the compact between the Pokagon Band of Potawatomi Indians and the state providing for the conduct of tribal class III gaming.

DIGEST OF HB 1056 (Updated February 15, 2021 4:53 pm - DI 133)

Recording requirements. Amends the requirements for instruments and conveyances to be recorded. Adds instances in which an instrument is considered validly recorded for purposes of providing constructive notice. Defines certain terms.

DIGEST OF HB 1060 (Updated March 9, 2021 2:21 pm - DI 133)

Office of administrative law proceedings. Allows a petition for review of an agency administrative action to be filed by mail, personal service, or electronic mail. (Current law requires a petition for review to be filed by mail or personal service.) Provides that the filing of a document in an administrative proceeding is considered complete on the date of electronic submission if the document is sent by electronic mail. Allows the ultimate authority of an agency

to request that the office of administrative law proceedings (office) review a motion to disqualify an administrative law judge. Allows the department of child services to request that the office conduct administrative proceedings on certain administrative actions related to child support and certain substantiated reports of child abuse or neglect. Requires the office to maintain confidentiality in administrative proceedings concerning actions by the department of child services.

DIGEST OF HB 1064 (Updated March 30, 2021 3:36 pm - DI 140)

Courts and magistrates. Adds a superior court in Hamilton County. Provides that the first judge of Hamilton superior court No. 7 shall: (1) be elected at the November 2022 general election; (2) take office January 1, 2023; and (3) serve a term of six years. Allows the judges of the Decatur circuit and superior courts to jointly appoint a magistrate to serve the Decatur County courts. Allows the judges of the Huntington circuit and superior courts to jointly appoint a magistrate to serve the Huntington County courts. Allows the judge of the Lake superior court division No. 4 to appoint a magistrate to serve the Lake superior court division No. 4. Allows the Marion County superior courts to appoint 27 full-time magistrates after December 31, 2021, not more than 14 of whom may be from the same political party. Removes the sixth circuit court in Delaware County. Provides a full-time magistrate for Hancock County.

DIGEST OF HB 1065 (Updated March 15, 2021 2:28 pm - DI 133)

Fire protection territories. Provides that the procedure for adopting an ordinance or resolution to establish a fire protection territory (territory) applies to expanding an existing territory. Provides that an ordinance or resolution establishing or expanding a territory must include an agreement as to the disposition of the territory's property when a participating unit withdraws or the territory is dissolved. Specifies that with regard to an ordinance or resolution to establish or expand a territory, the unit must hold three separate public hearings to hear public comment regarding the proposed territory before adoption of the ordinance or resolution, with the last public hearing held not later than 10 days before the ordinance or resolution is adopted. Establishes residency requirements for members of a joint executive board of a territory.

DIGEST OF HB 1068 (Updated March 25, 2021 12:50 pm - DI 133)

Local or regional justice reinvestment advisory councils. Establishes a local or regional justice reinvestment advisory council (local or regional advisory council) in each county in Indiana. Provides that the purpose of a local or regional advisory council is to review local or regional criminal justice systems, policies, and procedures. Provides that the justice reinvestment advisory council shall assist local or regional advisory councils with promoting: (1) the use of evidence based practices; and (2) certain best practices of community based alternatives and recidivism reduction programs. Sets forth duties of local or regional advisory councils.

DIGEST OF HB 1072 (Updated March 15, 2021 2:54 pm - DI 133)

Personal delivery devices. Provides that a personal delivery device may operate in Indiana under certain circumstances, but may not operate on portions of any state route, U.S. route, or interstate highway comprising the state highway system located in a municipality. Requires a personal delivery device operator to maintain certain levels of insurance coverage. Provides that a personal delivery device is exempt from motor vehicle licensing and registration requirements. Provides that a political subdivision may participate in the regulation of personal delivery devices. Provides that local governments shall not be required to make or pay for infrastructure improvements for the purpose of better accommodating personal delivery devices. Provides that a political subdivision may not enact or enforce an ordinance or resolution relating to: (1) the design, manufacture, maintenance, certification, licensing, registration, taxation, assessment, or insurance of a personal delivery device; or (2) the types of property that may be transported by a personal delivery device.

DIGEST OF HB 1079 (Updated March 25, 2021 12:59 pm - DI 133)

Practice of dentistry; virtual claim payments. Amends the definition of dentistry. Provides that a dentist may order and administer an immunization that is recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for individuals who are not less than eleven years of age, if the dentist: (1) is certified in cardiopulmonary resuscitation; (2) has successfully completed a course of training in immunization that meets specified requirements; and (3) administers the immunization in accordance with a protocol that includes specified requirements and procedures. Prescribes reporting requirements for a dentist who administers an immunization. Provides that a dentist: (1) is not required to administer immunizations; and (2) is not required to complete immunization training if the dentist chooses not to administer immunizations. Provides that a health insurance plan, including a health management organization contract, may not require a dental provider to accept payment under the health insurance plan by virtual claim payment. Requires a health insurer, including a health maintenance organization, to do the following before providing payment to a dental provider by electronic funds transfer, including by virtual claim payment: (1) Notify the dental provider of fees associated with the electronic funds transfer. (2) Advise, concerning virtual claim payments, the dental provider of the methods of payment available under the health insurance plan and provide clear instructions to the dental provider as to how to select an alternate payment method.

DIGEST OF HB 1082 (Updated March 15, 2021 2:57 pm - DI 133)

High tech crimes unit program. Establishes the high tech crimes unit fund for the purpose of establishing up to 10 high tech crimes units that collectively represent the north, south, east, west, and central geographic areas of Indiana to enhance the ability of prosecuting attorneys to investigate, collect evidence, and prosecute high tech crimes.

DIGEST OF HB 1084 (Updated March 16, 2021 2:49 pm - DI 133)

Technical corrections. Resolves technical conflicts and addresses technical errors in the Indiana Code. (The introduced version of this bill was prepared by the code revision commission.)

DIGEST OF HB 1090 (Updated April 21, 2021 2:26 pm - DI 107)

Alcohol matters. Removes the requirements that: (1) an oil refinery be located within a municipal lakefront development project; and (2) a municipal lakefront development project must be funded in part with local, state, and federal money. Requires the alcohol and tobacco commission (commission) to provide notice to the city or town council and the mayor's office of the city or town in which a municipal lakefront development is located of certain hearings. Requires the commission to post signs indicating when and where certain hearings will take place.

DIGEST OF HB 1097 (Updated April 13, 2021 2:02 pm - DI 133)

Criminal penalties. Provides that a person who uses a vehicle to commit the offense of resisting law enforcement or interfering with public safety, and has a prior conviction for either offense that involved the use of a vehicle, commits a Level 5 felony.

DIGEST OF HB 1101 (Updated April 21, 2021 2:17 pm - DI 119)

Daycare licensure exemption in declared emergency. Exempts from day care licensure requirements a child care program that: (1) is operated by a public or private organization under a contract with a public or private school; (2) serves children who are enrolled in a public or private school in grades kindergarten through 12, or in a preschool program offered by the public or private school; and (3) serves children who are: (A) attending school through remote or e-learning due to a disaster emergency; or (B) participating in a learning recovery program that administers an assessment to measure student learning loss and provides Indiana academic standards aligned instruction.

DIGEST OF HB 1109 (Updated March 9, 2021 2:22 pm - DI 133)

INSPECT program reporting. Provides that a dispenser who is also authorized to prescribe ephedrine, pseudoephedrine, or a controlled substance is required only to report to the Indiana scheduled prescription electronic collection and tracking (INSPECT) program actual dispensations within 24 hours of the dispensation.

DIGEST OF HB 1110 (Updated April 6, 2021 3:52 pm - DI 133)

Small claims court procedures. Provides that a small claims court has jurisdiction over claims that do not exceed \$10,000.

DIGEST OF HB 1111 (Updated March 15, 2021 2:59 pm - DI 133)

Highway extension and research program. Provides that local officials are required to attend any school or course conducted for local officials within the first two years of their initial term, but may (rather than shall) attend any school or course conducted for local officials after initial attendance. Provides that the county fiscal body shall appropriate sufficient funds to pay local officials a per diem for expenses for each day or part of a day the member is in attendance at any school or course conducted for local officials, and mileage at a rate determined by the county fiscal body for each mile traveled to attend the school.

DIGEST OF HB 1115 (Updated April 22, 2021 12:27 pm - DI 106)

Public safety. Provides that a person who enters a marked off area after having been denied entry by a firefighter commits interfering with public safety. (Under current law, the offense is committed only if the person is denied entry by an emergency medical services provider or a law enforcement officer.) Increases the penalty for obstruction of traffic under certain circumstances. Specifies that a conviction for certain sex offenses requires mandatory revocation of a teaching license. Provides that bail provisions that apply to persons on probation and parole also apply to persons on community supervision. Removes and replaces certain references to "official investigations", "official proceedings", and methods of reporting. Repeals synthetic identity deception and consolidates it with identity deception. Makes attempted murder a predicate offense for the use of a firearm sentence enhancement. Repeals and consolidates various fraud and deception offenses. Defines "financial institution" for purposes of crimes involving financial institutions. Repeals or decriminalizes certain infrequently charged misdemeanors. Provides a procedure for a law enforcement officer to request a blood sample if the law enforcement officer has probable cause to believe that a person has committed the offense of operating a vehicle or motorboat while intoxicated causing: (1) serious bodily injury; or (2) death or catastrophic injury. Provides that the law enforcement training board may establish certain standards for training programs. Makes technical corrections, resolves technical conflicts, and makes conforming amendments.

DIGEST OF HB 1118 (Updated March 30, 2021 3:36 pm - DI 140)

Mobile integrated healthcare programs and safety plans. Specifies that an individualized mental health safety plan includes information concerning a patient's physical health. Allows a mobile integrated healthcare program or a mental health community paramedicine program to provide certain services to help facilitate the patient's safe transition back into the community upon disclosure of a patient's individualized mental health safety plan. Allows a representative of a mobile integrated healthcare program or a representative of a mental health community paramedicine program to request a patient's individualized mental health safety plan from a psychiatric crisis center, psychiatric inpatient unit, or psychiatric residential treatment provider if certain conditions are met.

DIGEST OF HB 1119 (Updated April 8, 2021 5:39 pm - DI 133)

Food purchases from agricultural programs. Provides that a public school or school corporation may purchase up to \$7,500 of food per fiscal year from a youth agricultural education program, subject to certain restrictions and documentation requirements. Provides that the public school or school corporation is not prohibited from purchasing food from a youth agricultural education program under any other procurement requirements.

DIGEST OF HB 1120 (Updated March 16, 2021 2:49 pm - DI 133)

Judicial nominating commission. Makes certain changes to the election procedures for the attorney commissioners of the judicial nominating commission.

DIGEST OF HB 1123 (Updated April 5, 2021 4:11 pm - DI 133)

Legislative oversight of certain fiscal and emergency matters. Specifies that the bill is severable. Provides that the general assembly may convene in an emergency session if the legislative council adopts a resolution making certain findings concerning a state of emergency declared by the governor. Specifies the maximum length of an emergency session. Provides that in an emergency session the general assembly may enact only bills relating to the agenda stated in the legislative council's resolution. Provides that the general assembly may adopt concurrent resolutions and each house may adopt simple resolutions during an emergency session. Establishes the legislative state of emergency advisory group. Creates the economic stimulus fund (ESF) for the deposit of all discretionary funds received by the state. Defines "discretionary funds" to mean federal economic stimulus funds received under federal legislation granting the state authority to determine the amounts and manner in which the federal economic stimulus funds may be expended. Provides that discretionary funds deposited into the ESF during a period in which the general assembly is convened in a regular session, an emergency session, or a special session may not be allotted or expended unless appropriated by the general assembly or reviewed by the budget committee. Provides that before discretionary funds deposited into the ESF during a period in which the general assembly is not convened in a regular session, an emergency session, or a special session may be allotted to or expended by a state agency or instrumentality, the allotment or expenditure must be reviewed by the budget committee. Provides that discretionary funds deposited into the ESF may not be expended, transferred, assigned, or otherwise removed from the ESF by the state board of finance, the budget agency, or any other state agency except as permitted under the provisions of the statute. Exempts federal economic stimulus funds obligated or expended before April 29, 2021, from the application of the statute. Provides that a violation of the disaster statute (IC 10-14-3) or an order authorized by that statute is a Class B infraction instead of a Class B misdemeanor.

DIGEST OF HB 1125 (Updated April 21, 2021 1:14 pm - DI 131)

Deceptive lead generation. Makes false, misleading, or deceptive advertisements for claims related to medical devices and legend drugs and certain other actions a deceptive act.

DIGEST OF HB 1127 (Updated March 23, 2021 3:45 pm - DI 133)

Mental health and addiction forensic treatments. Removes a provision that allows a: (1) delinquent child's; or (2) person's; Medicaid participation to be terminated following a two year suspension due to certain adjudications or incarceration. Adds competency restoration services to the list of treatment and wraparound recovery services made available to certain persons in the criminal justice system. Adds competency restoration services to the list of services that qualify a person for mental health and addiction forensic treatment services. Adds: (1) recovery community organizations; and (2) recovery residences; certified by the division of mental health and addiction (division) or its designee to the list of organizations eligible for certain funds and grants from the division. Requires demographic data concerning race and ethnicity to be included in certain demographic research performed by the division.

DIGEST OF HB 1150 (Updated March 22, 2021 3:45 pm - DI 133)

Overweight divisible loads. Provides that a person who transports a vehicle or combination of vehicles with an overweight divisible load is subject to overweight divisible load permitting. Removes certain requirements regarding transportation of commodities. Provides that the department of transportation may not issue a permit for an overweight divisible load if the owner or operator of the vehicle has not provided the department of state revenue with full payment for the permit prior to transporting the overweight divisible load. Provides that the department of state revenue shall determine the extent of civil penalties for overweight divisible loads under certain conditions. Provides that the civil penalty for each permitting violation for transporting overweight divisible loads is not more than \$10,000 for each violation. Provides criminal or civil defenses in certain circumstances. Permits the department to determine at an administrative hearing whether a civil penalty should be assessed or reduced pursuant to a defense. Provides that the department of state revenue may not assess a penalty on a citation for an oversize load after more than one year has passed from the date the person receives the citation. Provides that the costs for storage of an abandoned vehicle with a length of at least 30 feet may not exceed \$2,500. Makes technical corrections. Makes conforming changes.

DIGEST OF HB 1152 (Updated March 23, 2021 3:47 pm - DI 133)

Unemployment insurance. Clarifies provisions concerning the overpayment of unemployment benefits resulting from fraud or failure to disclose wages and the forfeiture of benefits or wage credits.

DIGEST OF HB 1156 (Updated March 23, 2021 3:47 pm - DI 133)

Prohibition on microchipping employees. Provides that the definition of an "employer" subject to the prohibition against requiring the implantation of devices includes the state or any individual, partnership, association, limited liability company, corporation, business trust, or other governmental entity or political subdivision that has one or more employees.

DIGEST OF HB 1164 (Updated April 13, 2021 2:11 pm - DI 133)

Various utility matters. Exempts a contract for the lease of state property under which no state expenditures are required from provisions: (1) requiring certain disclosures and certifications by a prospective state contractor regarding violations of Indiana telephone solicitation and automated calling statutes; (2) regarding cancellation of public purchasing contracts due to lack of funds; (3) regarding state contractor use of the E-Verify program; and (4) prohibiting state contractor employment of unauthorized aliens. Establishes a calculation for determining nondiscriminatory, just, and reasonable rental fees charged by: (1) rural electric cooperatives; and (2) municipalities providing electric service; that own or control electric distribution poles for attachments to those poles by cable operators. Sets forth rights and duties of pole owners and attaching entities with respect to: (1) unauthorized pole attachments; and (2) pole attachment transfers and relocations. Provides that the Indiana utility regulatory commission (IURC) may not require a communications service provider to: (1) file a tariff; or (2) report to the IURC any information that is: (A) available to the public on the communications service provider's Internet web site; (B) filed with the FCC; or (C) otherwise available to the public; except as required by the IURC to respond to consumer complaints or information requests from the general assembly. Makes the following changes to the statute concerning permits for wireless service providers: (1) Amends the factors that must exist for a permit authority to prohibit the placement of a new utility pole or wireless support structure in connection with the construction, placement, or use of a small cell facility in areas designated strictly for underground or buried utilities. (2) Provides that neighborhood associations, homeowners associations, and homeowners may request to be notified of applications by communications service providers for certain permitted uses of the rights-of-way in those designated areas, in addition to requesting notice of applications for new utility poles or new wireless support structures (as provided under current law). (3) Sets forth a procedure by which a permit authority may elect to collaborate with a neighborhood association or a homeowners association to adopt neighborhood specific guidelines on the preferred location and reasonable aesthetics of new utility poles or new wireless support structures within the neighborhood association's or homeowners association's jurisdiction. (4) Provides that a permit authority may not impose: (A) a restriction on maximum height of a wireless support structure, subject to certain federal regulations and state laws; or (B) a requirement regarding minimum separation distances between wireless support structures. Provides that a tariff filed with the IURC by a communications service provider is effective upon filing. Provides that a communications service provider may access public rights-of-way under the control of a county or municipality to the same extent as a public utility. Provides that a video service provider is not required to provide the IURC with information describing the provider's programming, including

the provider's channel lineups or channel guides. Exempts a political subdivision's disposal of property by sale, exchange, transfer, or lease of the property to a public utility or a communications service provider from certain provisions regarding disposal of property by a political subdivision. Provides an exemption to the public works law for certain work done by the employees of a conservancy district established for the purpose of water or sewage treatment.

DIGEST OF HB 1166 (Updated April 22, 2021 12:41 pm - DI 134)

Provides that if an assessment on a taxpayer's residential real property or commercial property, with an assessed value of \$3 million or less, is increased for a tax year for any reason other than by application of the annual adjustment factor, and the taxpayer appeals the increased assessment to the county property tax assessment board of appeals or the Indiana board of tax review and prevails, or prevails at any subsequent appeal of the increased assessment, the assessing official shall not increase the assessed value on the residential real property or commercial property until the first year of the next four year cyclical assessment cycle for any reason other than by application of the annual adjustment factor. Provides, however, that during this period, the taxpayer may not appeal an increased assessment unless the taxpayer believes the increased assessment is arbitrary and capricious and not made consistent with the annual adjustment factor. Provides that if the taxpayer does appeal during this period on the grounds that the increased assessment is arbitrary and capricious and not made consistent with the annual adjustment factor, a provision shifting the burden to the assessing official to prove that the assessment is correct does not apply. Specifies that the provision does not apply: (1) where there was a change in structural improvements, zoning, or uses that were not considered in the assessment for the prior tax year; (2) if the reduction in assessed value is the result of a settlement agreement between the taxpayer and the assessing official; or (3) if the appeal is based on a correction of error. Provides that if the taxpayer who appealed an increased assessment under the provision sells the property, whose assessment was appealed, for fair market value, the assessor may reassess the property that was sold. Provides that certified level two assessor-appraisers and certified level three assessor-appraisers may serve as tax representatives under certain circumstances. Provides that a taxpayer may submit a written complaint to the department of local government finance if the taxpayer has reason to believe the assessing official failed to adhere to Uniform Standards of Professional Appraisal Practice or does not have the necessary competency to perform the assessment. Provides that notice of a taxpayer's right to submit a written complaint must be included on the taxpayer's notice of assessment or reassessment.

DIGEST OF HB 1168 (Updated March 29, 2021 2:59 pm - DI 140)

Electric vehicles and advanced technology. Establishes the electric vehicle product commission.

DIGEST OF HB 1169 (Updated March 30, 2021 3:39 pm - DI 140)

Cybersecurity incidents. Requires the office of technology to maintain a repository of cybersecurity incidents. Provides that a state agency and a political subdivision shall: (1) report

any cybersecurity incident to the office without unreasonable delay and not later than two business days after discovery of the cybersecurity incident in a format prescribed by the chief information officer; and (2) provide the office with the name and contact information of any individual who will act as the primary reporter of a cybersecurity incident before September 1, 2021, and before September 1 of every year thereafter. Allows the office of technology to assist a state agency with certain issues concerning information technology. Provides that if requested by a political subdivision, the office may develop a list of third party technology providers that work with the office. Requires a state educational institution to submit a quarterly analysis with certain conditions. Makes conforming changes.

DIGEST OF HB 1177 (Updated March 23, 2021 3:50 pm - DI 133)

Strategic plan on dementia. Requires the division of aging (division) to develop a strategic plan concerning dementia in Indiana. Requires the division to submit an annual report to the general assembly concerning the dementia strategic plan and the outcomes of implementing the dementia strategic plan.

DIGEST OF HB 1190 (Updated April 21, 2021 1:50 pm - DI 143)

Overweight truck permits. Removes the list of commodities and the specific weight limitations for certain commodities from the definition of "overweight divisible load". Provides that the Indiana department of transportation (department) may issue an overweight permit for transporting overweight vehicles and loads carrying resources on certain highways in the state highway system. Provides that a deviation from an approved route constitutes a violation subject to a civil penalty. Provides that not more than 8,500 single trip permits may be issued annually for applicants with a total equivalent single axle load calculation of more than 2.40 equivalent single axle load credit. Provides that the trip permit limit and trip weight limit do not include overweight divisible load permits obtained by shippers and carriers that obtained permits before January 1, 2021. Provides that the department may temporarily increase the number of overweight divisible load permits issued by order of the commissioner in response to an emergency or changes in market conditions. Provides that the department may limit the number of overweight divisible load permits issued to an individual applicant. Requires the department to adopt rules due to lack of transportation options for certain resources, supply chain interruptions, or supply dock backlogs. Provides that the department shall issue a report to the legislative council and the interim study committee on roads and transportation regarding the fee structure of overweight divisible load permits, and regarding the impact of overweight divisible loads on roads and highways by July 1, 2023. Provides that the department shall issue an annual report to the legislative council and the interim study committee on roads and transportation regarding market fluctuation in the number of overweight divisible load permits issued during the previous year. Provides that the Indiana state police department shall issue an annual report to the legislative council and the interim study committee on roads and transportation regarding the number of accidents involving applicants permitted for overweight divisible loads. Provides that a local authority may grant permits for transporting overweight divisible loads on local streets

under the control of the local authority. Makes conforming changes.

DIGEST OF HB 1191 (Updated April 22, 2021 12:44 pm - DI 101)

Energy matters. Provides that a county executive or the legislative body of a city or town does not have the power to prohibit: (1) a public utility or department of public utilities from furnishing utility service to a utility customer; or (2) a customer of a public utility or department of public utilities from purchasing, using, or connecting or reconnecting to a utility service; based on the energy source of the utility service. Defines a "federal phaseout mandate" as any federal statutory or regulatory requirement that: (1) is established after April 20, 2021, by Congress, a federal agency, or a federal executive order; and (2) requires the phaseout or discontinuance of a particular type of electric generating facility, technology, or fuel source. Requires the utility regulatory commission to consider in the context of: (1) applications for certificates of public convenience and necessity for new generating facilities; and (2) integrated resource planning; the impact of federal phaseout mandates on the estimated useful life of certain generating facilities of an electric utility, including on depreciation expense associated with such facilities. Provides that, except for purposes of compliance with specified building and fire safety laws, a local unit does not have the power to: (1) require that a particular component, design, or type of material be used in the construction of a building because of the energy saving or energy producing qualities of the component, design, or material; (2) prohibit the use of a particular component, design, or type of material in the construction of a building because the component, design, or material does not meet an energy saving standard; (3) require that a building or structure be retrofitted with a particular device or type of material because of the energy saving or energy producing qualities of the device or material; (4) prohibit or restrict the purchase or use of vehicles based upon the type of energy used; or (5) prohibit the sale, installation, or use of: (A) natural gas powered: (i) home heating equipment; (ii) home appliances; or (iii) outdoor heating appliances, torches, lamps, or other decorative features; or (B) outdoor grills and stoves. Specifies that: (1) this prohibition does not apply with respect to requirements included in procurement documents used to procure goods and services, including the construction or design of buildings, to be owned or used by a local unit; and (2) a local unit may adopt bid specifications for a public works project that include energy savings or energy production provisions with respect to the components, design, or materials for the specific project.

DIGEST OF HB 1197 (Updated March 29, 2021 2:59 pm - DI 140)

Hoosier Spirit II designated state aircraft. Specifies that the P-47 Thunderbolt known as the Hoosier Spirit II is designated as the official state aircraft of Indiana. (Current law designates the P-47 Thunderbolt as the official state aircraft of Indiana.)

DIGEST OF HB 1199 (Updated March 30, 2021 4:13 pm - DI 140)

Driving privileges. Provides that the bureau of motor vehicles (bureau) shall stay a suspension of a person's driving privileges, and terminate that suspension, upon a showing of proof of future

financial responsibility, and provides that an individual whose suspension has been terminated because the individual submitted proof of future financial responsibility is not required to pay a reinstatement fee. Requires that the bureau terminate a suspension of a person's driving privileges if the bureau does not receive proof that financial responsibility is not in effect after 180 days. Provides that a suspension may be stayed and then terminated if a person fails to pay the judgment. Provides that a warrant may be issued for failing to appear in a traffic violation case if the charge is a misdemeanor or a felony. Provides that a person whose support obligation is enforced by the Title IV-D agency may have the obligor's driving privileges reinstated. Provides that the bureau shall place in forbearance license reinstatement fees of individuals who: (1) are nonviolent offenders; (2) have completed a criminal sentence or are serving terms of probation or parole; and (3) are enrolled in job training or maintain consistent employment for at least three years following completion of job training. Provides that the bureau shall waive all reinstatement fees and reinstate the driving privileges of an individual who has had reinstatement fees placed in forbearance after the individual maintains consistent employment for at least three years. Provides that the bureau, in collaboration with the department of correction, shall administer programs and activities to facilitate the reinstatement of driving privileges for convicted offenders not later than July 1, 2021. Extends the traffic amnesty program for one year to permit certain persons owing unpaid traffic fines, or who may be required to pay a fee for reinstatement of driving privileges, to obtain a reduction in the amount owed or amount payable.

DIGEST OF HB 1201 (Updated March 23, 2021 3:52 pm - DI 133)

Emergency transport of injured operational canine. Provides that if there is not an individual requiring medical attention or transport, a paramedic, advanced emergency medical technician, or emergency medical technician may use emergency ambulance services to transport an operational canine injured in the line of duty to a veterinary hospital or clinic. Specifies the care that may be provided to the operational canine. Specifies who is responsible for the transportation and treatment cost of an injured operational canine. Provides that a paramedic, advanced emergency medical technician, or emergency medical technician who in the performance of their duties and in good faith renders care or transportation to an injured operational canine is not liable: (1) for any act or omission when rendering the care or transportation; or (2) to the veterinary hospital or clinic for expenses incurred for emergency care provided to the injured operational canine. Requires that a written agreement concerning the transport and care of an operational canine must specify what services are covered under the agreement.

DIGEST OF HB 1203 (Updated March 30, 2021 4:19 pm - DI 140)

Various department of health matters. Provides that the state department of health (department) may officially be known as the Indiana department of health. Removes by July 1, 2022, appeals panels from the appeals process of department orders. Provides that the executive board or the department's designee may act as the ultimate authority for department matters under the administrative and procedures laws. Provides that the state health commissioner (commissioner) is the appointing authority and director of the department. Provides that any physicians employed

by the department are governed by the state ethics commission's conflict of interest requirements. Allows the commissioner to designate in writing employees in the department who are licensed as a physician and may engage in the practice of medicine outside of their official duties. Provides that the state is not liable for any act performed by a physician employed by the department for any medical care provided to a patient by the physician that is provided in an individual capacity as a licensed physician. Removes the executive board of the department from determining the commissioner's salary. Provides that the commissioner's salary is determined by the governor and the state budget agency. Removes the executive board's approval for the commissioner to organize the personnel and functions of the department into divisions and subdivisions. Specifies that the state department of health may release certain information to an Indiana nonprofit entity that performs health data services for health care providers if specified conditions are met. Extends the expiration of the syringe exchange program until July 1, 2026.

DIGEST OF HB 1220 (Updated March 30, 2021 4:23 pm - DI 140)

21st century energy policy development task force. Reestablishes the 21st century energy policy development task force (task force), following its expiration on December 2, 2020. Provides that the task force consists of 17 members as follows: (1) Six members of the house of representatives, with four of those members appointed by the speaker, and two appointed by the minority leader. (2) Six members of the senate, with four of those members appointed by the president pro tempore, and two appointed by the minority leader. (3) The utility consumer counselor or the utility consumer counselor's designee. (4) The public finance director or the public finance director's designee. (5) Three members appointed by the governor, each of whom must have specified experience with respect to energy. Provides that: (1) one of the members appointed by the speaker; and (2) one of the members appointed by the president pro tempore; shall serve as co-chairs of the task force. Provides that an individual appointed to serve on the task force at any time before December 2, 2020, under the expired statute governing the task force may be appointed to serve on the task force after December 1, 2020, under these new provisions, at the discretion of the appointing authority. Provides that: (1) all meetings of the task force shall be open to the public in accordance with the state's open door law; and (2) all records of the task force are subject to the requirements of the state's public records law. Sets forth specific issues that the task force must study not later than November 1, 2022. Requires the task force to: (1) develop recommendations for the general assembly and the governor concerning these issues; (2) issue a report setting forth the recommendations developed; and (3) not later than November 1, 2022, submit the report to the executive director of the legislative services agency, the governor, the chair of the utility regulatory commission, and the utility consumer counselor. Provides that these provisions expire July 2, 2023.

DIGEST OF HB 1225 (Updated April 13, 2021 3:52 pm - DI 133)

Opioid treatment programs. Requires an opioid treatment program to obtain prior authorization from the division of mental health and addiction (division) for patients receiving more than 14 days of opioid treatment medication from an opioid treatment program unless otherwise

prescribed by the division. Allows the state opioid treatment authority (authority) to: (1) take certain remedial actions; and (2) impose a civil penalty of up to \$10,000; in response to certain violations concerning the operation of an opioid treatment program. Specifies that the authority may issue a civil penalty for each violation found by the authority. Requires the division to report certain findings to the general assembly not later than April 1 of each year. Requires certain information to be provided to the division for the purpose of completing specified reporting requirements.

DIGEST OF HB 1230 (Updated March 25, 2021 12:59 pm - DI 133)

Safe haven 911. Provides that due to extenuating circumstances, if a child's parent or a person is unable to give up custody of a child under the procedure set forth in Indiana's safe haven law, the child's parent or the person may request that an emergency medical services provider (provider) take custody of the child by: (1) dialing the 911 emergency call number; and (2) staying with the child until a provider arrives to take custody of the child. Provides that the emergency medical dispatch agency or the provider shall inform the child's parent or the person giving up custody of the child of the ability to remain anonymous. Provides that a provider, shall, without a court order, take custody of a child who is, or who appears to be, not more than 30 days of age if the child is voluntarily left: (1) in a newborn safety device that is located at an emergency medical services station; or (2) with medical staff after delivery in a hospital or other medical facility when the child's parent notifies the medical staff that the parent is voluntarily relinquishing the child. Allows a child's parent to remain anonymous if the child is voluntarily relinquished in a hospital or other medical facility after delivery of the child. Provides that an emergency medical services station is immune from civil liability for an act or omission relating to the operation of the newborn safety device.

DIGEST OF HB 1231 (Updated March 15, 2021 3:01 pm - DI 133)

Lien removal fees. Provides that a political subdivision is required to pay a \$25 fee to a county recorder for the recording of a release of a lien or liens held by the political subdivision on a parcel: (1) for which a certificate of sale is sold; or (2) that is disposed of by a political subdivision; regardless of the number of liens the political subdivision holds on the parcel. Provides that if a county containing a consolidated city has: (1) established a housing trust fund; and (2) adopted an ordinance authorizing a \$10 recording fee per document for deposit in the housing trust fund; the county recorder may charge the \$10 recording fee per document in addition to the \$25 fee for the recording of a release of a lien or liens held by a political subdivision. Provides how a county recorder must deposit fees collected for the recording of a release of a lien or liens held by a political subdivision.

DIGEST OF HB 1238 (Updated March 22, 2021 3:45 pm - DI 133)

Northeast Indiana development commission. Establishes the northeast Indiana strategic development commission (commission) as a body corporate and politic. Provides for

appointment of members of the commission. Specifies the purposes of the commission.

DIGEST OF HB 1246 (Updated March 15, 2021 3:05 pm - DI 133)

Auto dealer services. Amends the definition of the term "manufacturer" to exclude off-road vehicle manufacturers. Amends the term "transport operator" to remove Indiana dealers. Adds transport operators to the term "dealer owner". Defines the term "watercraft dealer". Provides that certain restrictions of use and the required displays of license plates do not apply to tractors, dump trucks, trucks with a rear-mounted forklift, or trucks with a mechanism to carry a rear-mounted forklift or implement. Provides the manner in which transport operators are to replace license plates or registration cards. Reorganizes and amends the transport operator license plate statutes. Provides that the motor vehicle sales advisory board shall be made up of at least six but not more than 11 persons appointed by the governor upon the recommendation of the secretary of state. Establishes that the majority of the current members of the motor vehicle sales advisory board constitutes a quorum for doing business. Provides that offsite sales do not include: (1) manufactured homes within manufactured home communities; (2) manufactured homes already located within manufactured home communities or to be installed in a manufactured home community; and (3) sales made by a dealer that owns and operates a manufactured home community. Establishes that a franchisor is not considered to be competing unfairly or in violation of the law if operating: (1) a business for less than two years; (2) in a bona fide retail operation that is for sale to any qualified independent person at a fair and reasonable price; or (3) in a bona fide relationship in which an independent person has made a significant investment subject to loss in the business operation and can reasonably expect to acquire majority ownership or managerial control of the business on reasonable terms and conditions. Provides that the secretary of state may condition or limit a dealer license, transport operator, or endorsement application if it is in the best interest of the public. Establishes certain requirements for transport operators. Provides that a dealer that is injured by an unfair practice may file a request for declaratory judgment. Makes certain changes to the expiration dates for dealer license plates. Provides that dealers may deliver a motor vehicle to a location other than the dealer's licensed location under certain conditions.

DIGEST OF HB 1247 (Updated April 6, 2021 5:55 pm - DI 133)

Child care provider notice. Allows the division of family resources (division) to send certain notices to: (1) an applicant for licensure as a child care center, licensure as a child care home, or registration as a child care ministry; and (2) a licensed child care center, a licensed child care home, and a registered child care ministry; by electronic mail instead of by certified mail. Requires: (1) an applicant for licensure as a child care center, licensure as a child care home, or registration as a child care ministry to provide a current and valid electronic mail address to the division in the application; and (2) a licensed child care center, a licensed child care home, and a registered child care ministry to maintain the provided electronic mail address for the duration of the licensure or registration.

DIGEST OF HB 1252 (Updated March 30, 2021 4:27 pm - DI 140)

Probate and guardianship matters. Removes conflicts between probate and guardianship statutes regarding classification of claims. Requires, for purposes of the power of attorney act, that a principal may not be a minor. Creates a tenant's representative for a deceased tenant or a tenant who is under a guardianship and specifies who may accept an appointment as a tenant's representative. Protects the proceeds from the sale of real property where no estate administration has been opened within five months of the decedent's date of death from claims of all creditors. Lists the claims having priority and preference in certain circumstances. Makes a technical correction between SEA 276 and HB 1252.

DIGEST OF HB 1255 (Updated March 23, 2021 3:53 pm - DI 133)

Probate and property matters. Provides that a testator may execute a will in two or more counterparts. Specifies certain requirements for a will executed in two or more counterparts. Provides that a self-proving clause may be incorporated into or affixed to a will. Specifies certain requirements for self-proving clauses and wills. Specifies that certain photographic, video, and audio evidence may be used as evidence with respect to the execution of a will. Exempts a will from the need for a recertification or a reexecution in certain instances. Specifies certain requirements concerning the execution of an electronic will. Allows an attorney or paralegal to supervise the execution of an electronic will. Exempts electronic wills from the need for recertification or reexecution in certain instances. Specifies that certain photographic, video, and audio evidence may be used as evidence with respect to the execution of an electronic will. Specifies certain requirements concerning the execution of a power of attorney. Allows a power of attorney to be executed in two or more counterparts. Specifies certain requirements for the execution of a power of attorney in two or more counterparts. Allows a self-proving clause to be incorporated into or affixed to a power of attorney. Specifies certain requirements for self-proving clauses incorporated into or affixed to a power of attorney. Specifies that certain photographic, video, and audio evidence may be used as evidence with respect to the execution of a power of attorney. Provides that an electronically signed and notarized electronic power of attorney is valid if the electronic power of attorney complies with certain specified requirements. Specifies certain requirements for attesting witnesses involved in the execution of a power of attorney or an electronic power of attorney. Allows a self-proving clause to be incorporated into or affixed to a power of attorney. Specifies that certain photographic, video, and audio evidence may be used as evidence with respect to the execution of an electronic power of attorney. Provides that certain persons are ineligible to sign certain trust instruments. Requires certain transfer on death conveyances to occur in the presence of a disinterested witness. Repeals certain provisions concerning mortgages, conveyances, and other written instruments that are executed in a foreign country. Repeals certain provisions concerning the affixing of a private seal or ink scroll on certain conveyances involving land or interests in land. Specifies certain requirements concerning land conveyances performed by attorneys in fact. Requires certain notarial acts to accompany the recording of certain conveyances. Requires an English translation for certain instruments, acknowledgments, and proofs when the original document is not in

English. Repeals a provision concerning the recording of a conveyance, mortgage, or other instrument in a county other than the county where the conveyance, mortgage, or other instrument is required to be recorded. Repeals a provision concerning the recording of a conveyance that is acknowledged outside Indiana but within the United States. Specifies: (1) certain prerequisites; and (2) a certain form; for the recording of certain instruments. Repeals a provision concerning the receipt of an acknowledgment by a public officer. Specifies that an instrument's acknowledgment or proof is incomplete when an instrument does not include an accompanying certificate. Provides that the transcript of an instrument that is recorded without a certificate cannot be read into or received as evidence. Specifies requirements concerning electronic recording of certain instruments concerning real property. Requires county recorders to implement specified functions concerning the: (1) acceptance; (2) receipt; (3) indexing; (4) storage; (5) archiving; and (6) transmittal; of electronically recorded instruments. Specifies certain requirements concerning the recording of a paper or tangible copy of an electronic instrument. Repeals a provision concerning the acknowledgment of certain instruments and the performance of certain notarial acts for a person serving in the armed forces, merchant marine, or outside the United States in connection with a wartime activity. Repeals provisions concerning: (1) certain notarial acts; and (2) acknowledgments; and their respective uses as prima facie evidence. Repeals a provision concerning certain executed instruments and a failure to state the location of the instrument's execution or any accompanying acknowledgment, if applicable. Provides that certain notarial acts are considered to have been performed in Indiana when certain specified criteria are met. Requires a county recorder's office to provide notice of office closures that last three or more days. Defines certain terms. Makes conforming amendments. Removes sections that conflict with HEA 1056. Makes a technical correction.

DIGEST OF HB 1256 (Updated March 23, 2021 4:17 pm - DI 133)

Juvenile court jurisdiction. Provides that a child who: (1) commits indecent display by a youth; or (2) commits dangerous possession of a firearm or provides a firearm to another child in certain circumstances; has committed a delinquent act subject to the jurisdiction of a juvenile court.

DIGEST OF HB 1266 (Updated April 13, 2021 4:12 pm - DI 133)

School efficiency. Provides that, not later than October 1, 2021, the department of education (department) shall issue a request for information for the purposes of exploring potential opportunities to improve the efficiency of noninstructional school services. Provides that the deadline for submission of responses to the request for information may not be later than February 1, 2022. Provides that, not later than March 1, 2022, the department shall prepare a report based on the responses.

DIGEST OF HB 1270 (Updated April 20, 2021 4:13 pm - DI 141)

Department of homeland security. Amends the administrative orders and procedures act to allow for an initial notice of determination to be served by electronic mail or any other method

approved by the Indiana Rules of Trial Procedure. (Under current law, the initial notice of determination may be served only by United States mail or personal service.) Repeals provisions concerning the division of planning and assessment, division of preparedness and training, division of emergency response and recovery, and division of fire and building safety (divisions). Assigns all duties of the divisions to the executive director of the department of homeland security (department) or the department generally. Establishes a fire chief executive training program (executive training program). Provides that after January 1, 2022, a newly appointed fire chief of a political subdivision must successfully complete the executive training program within one year of appointment. Provides that a volunteer fire chief is not required to complete the executive training program. Provides that the department of homeland security may allow any of the following individuals to enroll in the executive training program if there is available space in the course: (1) A chief officer. (2) Management level personnel. (3) A volunteer fire chief. (4) A volunteer chief officer. (5) Volunteer management level personnel. Provides that an applicable high school shall comply with all rules of the fire prevention and building safety commission applicable to the primary use of the building. Provides that schools with one or more employees shall create an emergency operations plan regarding unplanned fire alarm activations.

DIGEST OF HB 1271 (Updated March 25, 2021 1:00 pm - DI 133)

Department of local government finance. Provides under multiple remonstrance provisions that the department of local government finance (DLGF) may either hold a hearing in the affected county or through electronic means. Provides that the state board of accounts is accountable to the legislative council. Defines the term "nonconforming" for certain property tax purposes. Provides that consent to receive notice of a personal property tax assessment via electronic mail remains in effect unless revoked during the preceding year. Replaces the term "railroad car company" with the term "railcar company" for property tax purposes. Provides that the DLGF may amend certain public utility assessment administrative rules to reflect statutory changes. Provides that the fiscal officer of a political subdivision shall provide the DLGF with a report of any annexations that took place within the county during the preceding year. Provides rules and procedures for school corporation budget adoption meetings and hearings. Provides that for certain actions taken by the DLGF on tax levies and budgets of a political subdivision, the DLGF shall certify its action to the: (1) state board of accounts; (2) auditor of state; and (3) department of state revenue; if the budget and levy of the political subdivision are being continued. Provides that 25 taxpayers of a political subdivision must sign a written request for certain public hearings on budgets, tax rates, or tax levies. Provides that a political subdivision shall include an appropriation for bond proceeds in its budget for the ensuing year. Provides procedures for the Goshen public library. Requires the county auditor of the county in which a political subdivision or school corporation proposes to impose property taxes to determine the: (1) estimated average percentage of property tax increase on a homestead to be paid to the political subdivision or school corporation; and (2) estimated average percentage of property tax increase on a business property to be paid to the political subdivision or school corporation. Provides a formula for making the estimated average percentage of property tax increase determinations. Provides that the DLGF may establish fair and reasonable fees for level three assessor-appraiser examinations

and certifications. Provides that a parcel of land may not be included in more than one allocation area under several provisions going forward. Provides that a district that does not impose a levy under certain circumstances shall give notice of the hearing on the proposed budget and submit the adopted budget in the manner prescribed by the DLGF. Provides that the budget of a district that does not impose a levy may not be considered subject to review by the DLGF. Provides that for cumulative fund tax levy procedure purposes, if a cumulative fund that has been established in a prior year is not reestablished and the tax rate is not properly certified, the political subdivision may not increase a tax rate for the cumulative fund for the ensuing year. Provides that a political subdivision that decides to establish a cumulative fund must give notice in the form required by the DLGF. Provides that the DLGF is not required to hold a cumulative fund tax levy public hearing unless the petition expressly alleges that the political subdivision failed to comply with certain procedural requirements. Provides that after a political subdivision complies with the cumulative fund tax levy procedural rules, a property tax may be levied annually at the rate adopted by the political subdivision and certified by the DLGF. Provides that distributions from the financial institutions tax fund may be used for any legal purpose. Provides that a county's distribution of the commercial vehicle excise tax may be used for any legal purpose. Amends review procedures for conservancy district budgets. Provides that for education emergency loans and anticipatory warrants, a governing body may not increase the debt service fund levy to pay for the interest on the loans or warrants unless the loans or warrants have been issued, and the school corporation has received the proceeds from the loans or warrants. Provides that a governing body may not authorize an education emergency loan for the purpose of increasing the school corporation's property tax rate for the ensuing budget year. Provides that for temporary education loans, a board of school trustees, including an Indianapolis public school board, may not impose a levy to pay for the interest on the loans from a debt service fund unless the loan has been issued, and the school town or school city has received the loan proceeds. Provides that a board of school trustees may not authorize a temporary loan for the purpose of increasing the school town or school city's property tax rate for the ensuing budget year. Provides that a county auditor shall forward a list of disannexed lots or lands, as well as a copy of any annexation ordinance, to the DLGF not later than August 1. Provides for uses of revenue from the Henry County food and beverage tax. Extends the sunset date for provisions that permit certain political subdivisions to sell bonds at a negotiated sale from July 1, 2021, to July 1, 2023, and includes all counties, townships, cities, towns, and school corporations under those provisions. Provides that if a remonstrance or objection is filed or raised by an aggrieved person and the: (1) lands of the aggrieved person do not abut any other public way other than the public way to which a vacation petition applies; or (2) vacation of the public way would cause the lands of the aggrieved person to become landlocked with no other convenient or reasonable means of ingress or egress via another public way; the appropriate legislative body shall deny the petition to vacate the public way. Authorizes the town of Winfield and the town of LaGrange to petition the department of local government finance to increase its maximum permissible ad valorem property tax levy in 2022. Provides that if a substantial amount of real and personal property in a township has been physically destroyed as a result of a disaster, the county assessor shall order a reassessment of the destroyed property if a petition for reassessment is filed. Provides that a sale of aviation fuel is exempt from the aviation fuel excise tax if the aviation fuel is dispensed into

an aircraft owned by a certified aerial applicator performing agricultural operations. Provides that money accumulated from the Marshall County additional tax rate for criminal justice facilities, after the tax imposed is terminated, shall be transferred to the county jail fund to be established by the county auditor. Provides that funds accumulated from the Perry County additional rate for county jail and related buildings after: (1) the redemption of bonds issued; or (2) the final payment of lease rentals due; shall be transferred to the county jail operations fund to be used for financing the maintenance and operations of the Perry County detention center. Provides that \$2 from each marriage certificate fee collected shall be deposited in the clerk's record perpetuation fund. Increases the: (1) bailiff's service of process by registered or certified mail fee; and (2) cost for the personal service of process by the bailiff or other process server; from \$13 to \$15. Increases the amount that a political subdivision may transfer into its rainy day fund from 10% to 15% during calendar years 2021 through 2024. Expands the authority of municipalities to annex noncontiguous territory to territory that is occupied by a solar electric generating facility that is or will be interconnected to an electric utility owned by the municipality. Amends the definition of "economic improvement project" under the economic improvement districts chapter. Adds a provision relating to allocation of tax distributions with regard to fire protection territories. Provides that a qualified taxpayer that files an exemption application before September 1, 2021, will be considered to have timely filed exemption applications for various prior years.

DIGEST OF HB 1283 (Updated April 5, 2021 4:07 pm - DI 133)

Urban agricultural zones. Provides that a qualifying farmer may apply to a designating body to have an area designated as an urban agricultural zone. Provides that the term "urban agricultural zone" does not include rooftop gardening or farming practices that occur on the top of a building or residential home. Provides that a designating body, before designating an area as an urban agricultural zone, must hold a public hearing and allow for public comment. Provides that a designating body may exempt lands located partially or wholly within an urban agricultural zone from property taxation. Specifies that a designating body may not impose a special benefit tax for public services provided to an urban agricultural zone, unless the designating body imposed the special benefit tax before it designated the area as an urban agricultural zone.

DIGEST OF HB 1285 (Updated March 15, 2021 3:22 pm - DI 133)

Bureau of Motor Vehicles. Provides that the bureau of motor vehicles (bureau) shall remit certain taxes not more than 21 days after the collection of the tax. Provides that in the first year an amended surtax or wheel tax rate is effective, the prior surtax or wheel tax rate (as applicable) for the previous calendar year applies to vehicle registrations. Provides that the definition of "credential" includes any form of documentation in physical form or digital form accessible on a mobile device issued by the bureau. Changes the definition of a motor driven cycle to the current definition of a Class B motor driven cycle. Provides that the bureau of motor vehicles commission is protected by the Indiana Tort Claims Act. Expands the types of transactions that the bureau may perform on election day with priority given to credential related transactions. Provides that the bureau may no longer collect fees associated with Riverlink tolls. (Current law

provides for the bureau to accept payments for Riverlink tolls.) Provides that temporary license plates may be displayed in the rear window of a vehicle, rather than affixed to the rear of the vehicle. Removes the requirement that the bureau report to law enforcement if a license plate or other proof of registration is lost. Provides that temporary delivery permits may be displayed on a vehicle in a manner determined by the bureau. Provides that a person who becomes an Indiana resident and owns a watercraft must register the watercraft not later than 60 days after becoming an Indiana resident. Provides that a person who fails to register a watercraft within the 60 days after becoming an Indiana resident is subject to an administrative penalty of \$15 and commits a Class C infraction. Provides that a motor driven cycle may not be operated unless the vehicle is registered as a motor driven cycle. Provides that a holder of a learner's permit may operate a motor driven cycle. Provides that the bureau may charge a fee of \$25 for expediting certain credentials. Provides that the bureau shall suspend driving privileges or invalidate the learner's permit of an individual who is at least 15 years of age and less than 18 years of age in certain situations. Replaces the term "operator's license" with the term "driver's license". Requires that an individual who has completed driver rehabilitation training hold a learner's permit. Provides that an individual who has signed the application of a minor applicant for a permit or driver's license may subsequently file with the bureau, and be granted, a verified written request that the permit or driver's license expire. Allows the bureau to renew a learner's permit, rather than issuing a new learner's permit. Allows an individual to renew a learner's permit online. Provides that the bureau may approve third parties to conduct skills exams. Removes the provision allowing a licensed driver or an applicant for an initial or renewal driver's license, permit, or endorsement to appeal an action taken by the bureau to revoke or modify the person's driving privileges for medical reasons to the circuit or superior court of the county where the licensed driver or applicant resides prior to exhausting an administrative appeal. Requires individuals to complete driver's safety programs in certain instances. Requires the bureau to implement suspensions for an individual who fails to attend and complete required programs. Allows the bureau to contract with physicians to increase the number of reviewers for medical case files to support and provide recommendations on the revocation of a license for an individual with underlying health conditions. Removes the requirement for special groups to obtain 500 signatures when reapplying for the special group recognition license plate every 10 years. Decreases the number of days a new resident under 18 years of age is required to hold an out-of-state license to 60 days. (Current law requires that a new resident under 18 years of age hold an out-of-state license for 180 days.) Provides that courts must submit the probable cause affidavit in a form and manner prescribed by the bureau. Provides that the bureau shall not place any indication on certain credentials issued by the bureau of the vaccination status of an individual. Provides that the bureau shall not request information regarding the individual's vaccination status or proof of immunity when an individual applies for a credential. Provides that the bureau shall not maintain a data base regarding an individual's vaccination status or proof of immunity. Provides that the bureau shall not connect any bureau data base with any data base that tracks an individual's vaccination status or proof of immunity. Repeals the requirement to request a certificate of compliance for proof of financial responsibility if a motor vehicle accident occurred at least five years prior to the date the bureau receives the copy of the accident report. Provides that the bureau may enter into an agreement with the office of administrative law proceedings to

conduct reviews on the bureau's behalf. Makes conforming changes.

DIGEST OF HB 1287 (Updated April 13, 2021 4:13 pm - DI 133)

Water or wastewater service. Allows a water or wastewater utility to extend service to a developed but underserved area without a deposit from customers if the extension of service will result in a positive contribution to the utility's overall cost of service over a 20 year period. Provides that the extension of service will be considered as resulting in a positive contribution to the utility's overall cost of service over a 20 year period to the extent that rates to be paid by 50% or more of the customers who could be served by the extension of service would enable the utility to fully recover the weighted cost of debt and depreciation expense attributable to the cost of the main extension for the extension of service. Provides that if a water or wastewater utility determines that an extension of service will not result in a positive contribution to the utility's overall cost of service over a 20 year period, the utility may require a deposit or other adequate assurance of performance from the customers to be served by the extension of service. Provides that if a property owner makes an improvement to the property owner's dwelling, the property owner is not required to upgrade or discontinue use of the property's septic tank soil absorption system or to connect to a sewer system if the improvement does not include the addition of a bedroom or bedroom equivalent and the property owner receives a written determination from a qualified inspector that the septic tank soil absorption system is not failing. Provides that if a tract of land is located within the boundaries of a conservancy district established for sewage purposes, no structure located on the tract of land is connected to or served by the conservancy district's sewage service, the tract of land has been annexed by a municipality that will provide sewer service to the tract of land, and other conditions are met, the owner of the tract of land may petition the court that established the conservancy district for the removal of the tract of land from the boundaries of the conservancy district.

DIGEST OF HB 1293 (Updated April 6, 2021 5:56 pm - DI 133)

Criminal appeals. Provides that an order granting a motion to discharge a defendant before trial may be appealed to the supreme court or the court of appeals. Provides that the state may appeal an interlocutory order if the trial court certifies the appeal and the court on appeal makes certain findings.

DIGEST OF HB 1305 (Updated March 30, 2021 4:33 pm - DI 140)

Medicaid reimbursement for children's hospitals. Specifies the reimbursement rate for inpatient and outpatient Medicaid services that are provided by an out-of-state children's hospital located in a state bordering Indiana in state fiscal years 2022 and 2023. Requires budget committee review of the reimbursements provided to those out-of-state children's hospital. Requires the children's hospitals to provide information required in the review to the family and social services administration not later than August 1.

DIGEST OF HB 1309 (Updated April 6, 2021 5:57 pm - DI 133)

Pregnancy accommodation. Allows an employee to request an accommodation for the employee's pregnancy. Requires an employer to respond to an employee's request for an accommodation within a reasonable time frame. Provides that a request for accommodation does not require an employer to provide an accommodation for an employee's pregnancy, or impose a duty or obligation upon the employer to provide an accommodation or an exception to the employer's policies unless existing federal or state laws require that an accommodation must be made. Prohibits an employer from disciplining, terminating, or retaliating against an employee because the employee has requested or used an accommodation for the employee's pregnancy.

DIGEST OF HB 1313 (Updated March 23, 2021 4:24 pm - DI 133)

Students with disabilities. Requires the Indiana management performance hub to: (1) use its data resources and technology to cross-reference with data bases of certain state agencies to identify certain former students with disabilities (eligible individuals); (2) coordinate with the state department of health to determine whether identified eligible individuals are deceased; and (3) provide the information concerning eligible individuals to the department of workforce development (DWD). Requires the state department of health to, not later than November 1, 2021, coordinate with the Indiana management performance hub. Requires the DWD to: (1) communicate with identified eligible individuals; and (2) provide to the eligible individuals a copy of a resource list concerning training and education opportunities and employment services resources. Requires the state advisory council on the education of children with disabilities (council) to annually update and submit the resource list to the department of education and the DWD. Requires the department of education and DWD to post a copy of the most recently updated resource list on the department's and DWD's Internet web sites. Requires the DWD, in consultation with the department of education, to prepare and submit an annual report to the general assembly and the council. Requires the state board of education to, not later than December 1, 2021, adopt rules to create an alternate diploma for students with significant cognitive disabilities.

DIGEST OF HB 1314 (Updated March 9, 2021 2:22 pm - DI 133)

Recorded discriminatory covenants. Permits a person to file a statement or notice that a recorded discriminatory covenant is invalid and unenforceable.

DIGEST OF HB 1340 (Updated March 30, 2021 4:33 pm - DI 140)

Human immunodeficiency virus. Replaces statutory references to "dangerous communicable disease" with "serious communicable disease". Replaces statutory references to "carrier" with "individual with a communicable disease". Makes conforming amendments.

DIGEST OF HB 1348 (Updated April 21, 2021 7:20 pm - DI 120)

Assessment of utility grade solar projects. Provides that, for assessment dates beginning after December 31, 2021, the land portion of the fixed property of a utility grade solar energy installation facility shall be assessed at an amount that does not exceed the solar land base rate for the region in which the property is located. Provides that assessing officials shall follow the normal guidelines and procedures as are applicable under the property tax cap chapter. Provides a limited exception for certain utility grade solar energy installation facilities that were assessed on the January 1, 2021, assessment date. Requires the department of local government finance (department) to annually determine and release a solar land base rate for each region based on the median true tax value per acre of all land in the region classified under the utility property class codes of the department for the immediately preceding assessment date.

DIGEST OF HB 1353 (Updated April 21, 2021 7:29 pm - DI 134)

Religious use property tax exemption. Requires a sales disclosure form to include an attestation that a property transferred will continue to be used by a church or religious society for the same tax exempt purpose. Provides that a county assessor that reasonably suspects that property transferred is no longer being used by a church or religious society for the same tax exempt purpose may request articles of incorporation or bylaws to confirm the attestation included in the sales disclosure form. Provides that the request for articles of incorporation or bylaws to confirm the attestation must: (1) be made in writing; and (2) include a written explanation of the assessor's reasonable suspicion describing why the assessor believes that the property transferred is no longer being used by the church or religious society for the same tax exempt purpose. Specifies that the provisions in the bill apply to transactions occurring after December 31, 2021. Provides that when an exempt property owned by a church or religious society is transferred to another church or religious society to be used for the same exempt purpose, the transferee church or religious society is not required to file an exemption application with the county assessor. Provides that if the property remains eligible for the exemption, the exempt status carries over to the transferee church or religious society.

DIGEST OF HB 1356 (Updated March 22, 2021 3:49 pm - DI 133)

Permanent trailer registration. Defines "permanent registration" for purposes of motor vehicles. Provides that the owner of a trailer that weighs 3,000 pounds or less may apply to the bureau of motor vehicles (bureau) for a permanent registration for a fee of \$82. Requires the owner of a trailer that applies to the bureau for a permanent registration to pay twice the amount of the surtax otherwise due when the owner obtains a permanent registration. Provides that the owner of a trailer that obtains a permanent registration is not subject to additional surtax payments.

Various elections matters. Defines "anomaly" and amends the definitions of "de minimis change" and "electronic poll book". Requires the entry of filing information concerning all candidates into the statewide voter registration system. Requires, for voting systems initially certified for marketing and use in Indiana after January 1, 2022, certain universally recognized symbols of a candidate's legal name to be displayed. Requires election certification documents to be filed only through the statewide voter registration system. Provides that the precinct judge performs the duties of a precinct election sheriff under certain circumstances. Allows the secretary of state to provide parts and reports from the voter registration system information from the computerized list to law enforcement officials conducting an investigation if certain requirements are met. Allows the cancellation of the registration of a deceased person based on a notice published by a funeral director or embalmer on the Internet web site of the funeral director or embalmer. Describes the process by which the name of an Indiana resident who has been imprisoned for conviction of a crime in another state is removed from the voter registration list. Provides that a person is disqualified from assuming or being a candidate for an elected office if the person is a nonjudicial court employee who would violate Rule 4.6 of the Indiana Code of Judicial Conduct by being the candidate of a political party for nomination or election to an elected office or a political party office. Provides that a candidate is considered affiliated with a particular political party for purposes of determining whether the candidate is qualified to be on that party's primary election ballot if the two most recent primary elections in which the candidate voted were primary elections held by the political party with which the candidate claims affiliation. (Under current law, only the most recent primary election that the candidate voted in must have been held by the political party with which the candidate claims affiliation.) Makes changes to the formatting of nonpartisan judicial offices on the ballot. Requires paper ballots and optical scan ballots to have precinct numbers or designations. Requires retention of electronic poll book information for the same retention period as other election records. Provides that ballot proofs be made available for inspection 67 days before the date of the election. Permits a county election board to authorize the use of absentee ballots by voters when a state disaster emergency is declared or a county disaster emergency is declared within 11 days of an election. Requires that an absentee ballot application requesting that an absentee ballot be sent by mail or by traveling board submitted to a county using the statewide voter registration system must include a telephone number to contact the applicant and permits the applicant to include the applicant's electronic mail address. Provides that if an application for an absentee ballot is denied, the county election board must provide the voter in writing with the reasons for the denial of the application. (Under current law, only absent uniformed services voters or overseas voters are required to be provided with notice of denial of an absentee ballot application.) Provides that, with certain exceptions, an individual must be a citizen of the United States to be permitted in the polls during an election and authorizes the secretary of state to grant exceptions. Authorizes a voter board visiting a voter with an illness or injury or a voter who is caring for a confined person at a private residence to use an electronic poll book. Specifies the procedure when a voter leaves the clerk's office or satellite office without casting the voter's absentee ballot for the vote to be cast by the absentee voter board. Specifies the requirements for the timing and security of the

bipartisan initialing of absentee ballots. Increases the amount of time a voter has to vote in a primary election from three minutes to five minutes and the amount of time to vote in a general, municipal, or special election from two minutes to four minutes. Adds requirements for testing of voting systems before an election. Specifies the procedure requiring the reporting of problems experienced with voting systems or electronic poll books. Requires a voting system to contain features to ensure that unauthorized software has not been installed on the equipment, and to permit the electronic adjudication of voter intent on ballots cast using the voting system. Adds requirements for disposing of voting system units. Provides that any electronic device used to create a ballot file or program a voting system, or used with election management software, may not be connected to the Internet. Requires the Voting System Technical Oversight Program to conduct random audits of voting systems and electronic poll books in odd-numbered years. Requires a precinct election officer, in the case of a voter who casts a provisional ballot, or an absentee voter board, in the case of a voter who casts an absentee ballot that is treated as a provisional ballot, to provide both orally and in writing an explanation of the steps the voter must take in order to have the voter's ballot counted. Requires the election division to prescribe the form of the explanation. Requires the circuit court clerk to notify a voter who casts a provisional ballot not later than three days after election day concerning: (1) the reasons that the voter's ballot is being treated as a provisional ballot; (2) what actions, if any, that the voter must take in order to have the voter's ballot counted; (3) the deadline by which the voter must act to have the voter's ballot counted; and (4) certain contact information that the provisional voter may use to find out about the provisional voter's ballot. Requires that the notice must be in a form prescribed by the election division. Specifies procedures for the return of an electronic poll book or a voting system from the polls of the precinct or from the vote centers after the close of the polls on election day. Requires the county election board to begin entering unofficial results canvassed by the county election board into the computerized list for statewide and legislative offices beginning at 8 p.m. on election night and continuing at stated intervals through the day after election day until the entry of unofficial results is completed. Extends the deadline for filling a post-primary candidate vacancy from noon on June 30 to noon on July 3 and after July 3 in case of certain successful challenges to a candidate. Amends procedures for candidate filings to fill ballot vacancies in certain cases. Updates statutes setting schedules for upcoming elections. Repeals the current statute concerning the referral of a disputed ballot to a judge when a recount or contest has not been filed. Makes technical changes. Makes conforming amendments. Repeals obsolete provisions.

DIGEST OF HB 1372 (Updated April 16, 2021 11:25 am - DI 92)

2021 regular session of the general assembly. Specifies that the deadline for adjourning sine die for the 2021 session of the general assembly is November 15, 2021, and that the current deadline of April 29 remains in place for future long sessions. Provides that the regular technical session statute does not apply in calendar year 2021. Specifies the deadlines for signing enrolled acts and presenting them to the governor for bills passed after April 19, 2021, and before May 1, 2021. Specifies the following: (1) That the 2021 interim is the period beginning May 1, 2021, and ending November 15, 2021. (2) That for 2021, the prohibited period concerning fundraising

activities is through April 29, 2021, rather than the date on which the general assembly adjourns sine die. (3) That the budget committee is required to meet at least once between April 30, 2021, and July 1, 2021. (Current law requires the budget committee to meet at least once in the two months following the general assembly adjournment sine die.) (4) The certification and distribution process for enrolled acts and the time frame for the process in 2021 will take place as usual. Provides that a redistricting commission is established to determine congressional districts if the general assembly adjourns sine die before November 15, 2021, without having enacted a law establishing congressional districts. (Current law refers to the adjournment of the general assembly without specifying an adjournment sine die or a particular date.)

DIGEST OF HB 1373 (Updated March 23, 2021 4:24 pm - DI 133)

Certified public accountant examination. Requires a first time examination candidate for the certified public accountant (CPA) examination to have at least 120 semester hours of college education that includes an accounting concentration or equivalent. Requires a candidate for an initial issuance of a CPA certificate to have at least 150 semester hours of college education or equivalent and a baccalaureate or higher degree from a college or university that must include an accounting concentration or equivalent. Postpones the expiration of a noncode SECTION that was enacted in 2020 and that requires the board of accountancy to adopt certain administrative rules concerning the CPA examination. Voids a section of the administrative rules of the board of accountancy concerning the CPA examination and temporarily replaces that section of the rules with a noncode provision that: (1) allows the successor to the Uniform CPA examination to be administered to CPA candidates; and (2) eliminates the requirement that the four sections of the examination administered to CPA candidates be the four sections specified in the voided administrative rule section.

DIGEST OF HB 1383 (Updated April 6, 2021 5:57 pm - DI 133)

Judicial officers. Provides that a person commits battery on a public safety official if the offense is committed against a retired judicial officer while the retired judicial officer is serving as a judge, and allows a retired judicial officer to carry a handgun in the same manner as a judicial officer while the retired judicial officer is serving as a judge. Adds current and former probation officers and community corrections officers to the list of persons whose residential addresses may not be disclosed on a public property database website operated by a unit.

DIGEST OF HB 1384 (Updated March 25, 2021 1:01 pm - DI 133)

Civics education. Requires, not later than July 1, 2022, the state board of education, in coordination with the department of education, to establish standards for civics education. Establishes the: (1) Indiana civic education commission; and (2) duties of the commission. Provides that each school corporation, charter school, and state accredited nonpublic school shall require each student to successfully complete in grade 6, 7, or 8 one semester of a civics education course. Provides that the civics education standards in effect on July 2, 2022, may only

be changed by the express authorization of the general assembly.

DIGEST OF HB 1392 (Updated March 23, 2021 4:24 pm - DI 133)

Occupational licensure of military spouses. Amends as follows the law under which a provisional occupational license may be issued to the spouse of an active duty member of the armed forces assigned to Indiana: (1) Provides that the law applies to the spouse of any active military service member, including a member of a reserve component of the United States armed forces or a member of the National Guard. (2) Eliminates a provision under which a military spouse applying for a provisional occupational license is required to submit to a national criminal history background check, and provides instead that a military spouse applying for a provisional occupational license must be determined by the appropriate professional board to not have a disqualifying criminal history if a national criminal history background check is required for the regulated occupation for which the military spouse seeks a provisional license.

DIGEST OF HB 1396 (Updated April 21, 2021 1:16 pm - DI 144)

Alcoholic beverages. Amends the definition of "beer" to include the fermentation of cereal byproducts. Amends the definition of "flavored malt beverage" to include canned beverages. Establishes requirements in order for a liquor to be advertised or labeled Indiana rye whiskey. Allows a craft manufacturer to locate near a school or church if the church or school does not object. Allows a retailer, small brewery, farm winery, or artisan distillery to deliver alcoholic beverages to a customer in the parking lot or an adjacent area. Provides that an employee who makes curbside delivery of alcoholic beverages to a consumer must be at least 21 years of age. Modifies the definition of "jumbo boat" by removing the requirement that the vessel be approved by the United States Coast Guard. Provides that a holder of a: (1) boat beer permit who operates a jumbo boat may sell beer for carryout; (2) boat liquor permit who operates a jumbo boat may sell liquor for carryout; and (3) boat wine permit who operates a jumbo boat may sell wine for carryout. Allows a jumbo boat to apply for and hold a retailer's endorsement. Allows type II gaming to be conducted on a jumbo boat. Amends the "entertainment complex" definition. Provides that certain references to alcoholic beverages in bottles include alcoholic beverages in containers. Modifies certain dates concerning alcohol retailer and dealer permits that are deposited with the alcohol and tobacco commission (commission) and that may revert to the commission if the permit does not become active. Requires the disclosure of the names of the officers of a corporation or other entity applying for a permit in a published notice or Internet web site. Adds requirements for a permit holder when making an initial request for deposit of a permit. Eliminates Indiana residency requirements for retailers, dealers, and brewers. Provides that residential delivery by a beer retailer, liquor retailer, or wine retailer may only be performed by the permit holder or an employee who holds an employee permit. Requires a permit holder to maintain a written record of each delivery for at least one year that shows the customer's name, location of delivery, and quantity sold. Provides for "grab and go stores" that are accessible only by ticketed event attendees and provide self-service sales of alcoholic beverages in addition to sales of food and nonalcoholic beverages. Provides that certain provisions of the food hall master

permit section do not apply to a food hall that: (1) is located in a certified technology park; and (2) operates in a certain type of building or complex of buildings. With certain exceptions, requires a permit applicant to provide the name and address of each person or entity holding at least a 2% interest in the permit and business. Removes the requirement that the department of local government finance consent to the continuation of a permittee's business by the permittee's heir. Requires a municipality to notify the chairman of the commission of any retailer or dealer premises annexed into the municipality, in order to ensure the correct distribution of excise funds. Allows the holder of a food hall vendor's permit and a retailer's permit who also holds a permit for a small brewery, a farm winery, or an artisan distillery to sell certain carry out alcoholic beverages at the retailer's permit premises. Provides that a farm winery may place wine in bottles or other permissible containers. Allows a farm winery to sell wine by the can. Allows a farm winery to transfer wine from a storage facility or certain locations. Allows a farm winery to sell or transfer wine directly to a wine wholesaler. Provides that an artisan distiller may transfer liquor from a separate storage facility back to the artisan distiller. Allows an artisan distiller to sell or transfer liquor directly to a liquor wholesaler. Allows a small brewery to sell or transfer beer to a wholesaler from a separate storage building. Provides that a farm winery that does not distribute through an Indiana wine wholesaler is entitled to sell and deliver to a person holding a wine retailer or wine dealer permit a total of not more than 3,000 gallons of the farm winery's wine in a calendar year, if the farm winery has not sold in Indiana more than 15,000 gallons the previous calendar year. Provides that an artisan distiller that does not distribute through an Indiana liquor wholesaler is entitled to sell and deliver to a person holding a liquor retailer or liquor dealer permit a total of not more than 1,000 gallons of the artisan distillery's liquor in a calendar year, if the artisan distiller has not sold in Indiana more than 9,000 gallons the previous calendar year. Requires the holder of a farm winery permit or artisan distiller's permit that sells and delivers to a retailer or dealer to comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1. Provides that the commission may revoke in certain circumstances the permit of a farm winery or artisan distillery that sells and delivers to a retailer or dealer. Adds a farm winery to the list of entities that may extend credit in certain circumstances. Provides that under certain circumstances a farm winery or artisan distillery that sells and delivers to a retailer or dealer shall sell to a permittee on a cash on delivery basis only. Requires the holder of a farm winery permit or artisan distiller's permit to annually submit to the commission copies of its Indiana and federal excise tax returns. Makes technical corrections and stylistic changes.

DIGEST OF HB 1402 (Updated April 5, 2021 4:08 pm - DI 133)

All payer claims data base. Amends the definition of "health payer" to except some policies of accident and sickness insurance. Establishes requirements for the development and administration of the all payer claims data base. Establishes the all payer claims data base advisory board (advisory board) and sets forth membership requirements. Specifies the duties of: (1) the advisory board; and (2) the executive director who oversees the operation of the data base. Requires the establishment of a fee formula for data licensing and claims data collection and release.

Insurance matters. Allows the office of the secretary of family and social services to apply for a Medicaid state plan amendment to allow school corporations to seek Medicaid reimbursement for medically necessary, school based Medicaid covered services that are provided under federal or state mandates. Specifies possible services for Medicaid reimbursement. Adds physical therapy to the list of services for which a school psychologist may refer a student. Establishes the long term care insurance partnership program and requires the office of the secretary of family and social services to apply before September 1, 2021, for a Medicaid state plan amendment that would: (1) provide for the establishment of the new long term care insurance partnership program and the discontinuance of the current long term care program; and (2) ensure that an individual who purchased a qualified long term care policy under the current program will be eligible for an asset disregard even if the current program is discontinued and even though the policy was issued before the date of the state plan amendment, is not tax qualified, and does not meet the standards of Section 6021 the federal Deficit Reduction Act. Provides that if approval is not given for the state plan amendment, the new long term care insurance partnership program is not established and the office and the department of insurance shall study ways to improve the affordability and cost effectiveness of the current program. Requires an audit examining prescription drug cost sharing for the Medicaid program once every three state fiscal years. Provides that the county sheriff may receive reimbursement from a nonincarcerated person's health coverage for providing nonemergency transport of the person to a facility for a mental health detention. Requires a provider to provide the health records requested by a patient within 30 days after the date the written request is made, unless the provider seeks an extension of not more than 30 days and informs the patient in writing of the reasons for the extension and the date by which the provider will provide the health records. Prohibits the state or a local unit from issuing or requiring a COVID-19 "immunization passport" (a document concerning an individual's immunization status). Allows a nonprofit association of cities and towns to participate in the state aggregate prescription drug purchasing program. Adopts the physical therapy licensure compact. Provides that if a resident insurance producer completed more than 24 hours of credit in continuing education courses before the effective date of the producer's last license renewal, not more than 12 of the excess hours of credit for those continuing education courses may apply toward satisfaction of the continuing education requirement for the producer's next license renewal, subject to certain restrictions. Prohibits a pharmacy benefit manager (PBM) from: (1) imposing limits on a pharmacy's access to medication that differ from those existing for a PBM affiliate; or (2) sharing any covered individual's information, except as permitted by the federal Health Insurance Portability and Accountability Act (HIPAA). Prohibits the inclusion of certain provisions in a contract between a PBM and an entity authorized to participate in the federal 340B Drug Pricing Program, with certain exceptions. Requires a PBM: (1) to update the PBM's maximum allowable cost list at least every seven days; (2) to determine that a prescription drug is not obsolete, is generally available for purchase by pharmacies, and is not temporarily unavailable, listed on a drug shortage list, or unable to be lawfully substituted before placing the prescription drug on a maximum allowable cost list. Provides that: (1) if a PBM approves an appeal concerning maximum allowable cost pricing, the PBM must notify each pharmacy in the

PBM's network that the maximum allowable cost for the drug has been adjusted; and (2) if a PBM denies an appeal, the PBM must provide the reason for the denial and other information, and the appealing pharmacy or other entity may then file a complaint with the department of insurance (department). Also allows a contracted pharmacy or pharmacy services administrative organization to file a complaint with the department if it believes that its contract with a PBM contains an unlawful contractual provision. Provides that a PBM's violation of these requirements or prohibitions is an unfair or deceptive act or practice in the business of insurance. Amends code sections requiring an insurer to "deliver" or "provide" certain notices within a certain time period to make those sections provide instead that the insurer is required to "mail" the notices. Provides that if a party procures a policy of insurance through an online platform: (1) the party affirmatively consents to have all notices and other documents related to the policy delivered to the party electronically; and (2) other statutory prerequisites to the electronic delivery of notices do not apply. Provides that a merchant or other seller that acts as an agent for purposes of the sale of an auto service contract is not a person contractually obligated under the service contract by virtue of acting as the seller. Provides, as an exception to the general prohibition against rebates, that: (1) an insurer, an employee of an insurer, or a producer may offer and give gifts of limited value in connection with marketing of insurance and may conduct a drawing for prizes of limited value; (2) an insurer, through its employees, affiliates, insurance producers, or third-party representatives, may provide, for free or at a discount, products or services that relate to or are provided in conjunction with a policy and are exclusively intended to educate about, assess, monitor, control, or prevent risk of loss; (3) a person holding an insurance license may offer or provide, for free or for less than fair market value, services that are at least tangentially related to an insurance contract but are not contingent upon the purchase of insurance, subject to certain conditions. Amends the law requiring an insurer to provide 10 days' advance notice to the insurance producer who procured an automobile policy when the insurer intends to cancel or not to renew the policy to make the law applicable only if the insurance producer who procured the policy was an independent insurance producer. Requires the state department of health, in consultation with the department of insurance, the office of the secretary of family and social services, and the Indiana board of pharmacy, to submit to the legislative council a report concerning: (1) best practice guidelines in providing specialty drugs in a manner that ensures the patient's safety; and (2) information concerning any adverse events affecting the safety of patients resulting from the specialty drug protocols of a health carrier or hospital. Requires the legislative services agency to conduct a study of market concentration in Indiana in the health insurance industry, the hospital industry, and five other industries and to present the findings of the study to the combined interim study committees on financial institutions and insurance and public health, behavioral health, and human services, the legislative council, and the governor before December 31, 2022.

DIGEST OF HB 1407 (Updated March 22, 2021 3:56 pm - DI 133)

Proceeds from the sale of a capital asset. Authorizes a nonprofit foundation (foundation) established by a county to hold proceeds from the sale of capital assets to include in the foundation's investment policy statement a formal spending policy for: (1) a spending rate of up

to 5% multiplied by a five year moving average of quarterly market values with the distributable amount for each year determined on a specified date; or (2) in the case of a foundation that was established less than 10 years ago, an interim spending rate of up to 5% multiplied by a moving average consisting of all available quarterly market values since the date the foundation was established. Amends provisions that apply to a foundation that is established to hold proceeds from the sale of a county hospital as follows: (1) Specifies that the county may transfer excess money it receives from the foundation's annual spend rate back into the foundation. (2) Provides that if the annual investment income earned on the principal of the foundation exceeds 5% in a calendar year, that amount is added to and considered a part of the principal of the foundation. (3) Requires the board of the foundation to establish one or more separate accounts in which the principal and income of the foundation shall be held and that are subject to the same requirements in current law for accessing the principal and income.

DIGEST OF HB 1418 (Updated April 21, 2021 5:19 pm - DI 142)

Economic development. Provides that an interview or negotiation conducted between the Indiana White River state park development commission (commission) and an industrial or commercial prospect may be held as an executive session. Provides that certain records related to negotiations conducted between the commission and an industrial, research, or commercial prospect are exempt from public disclosure under the Access to Public Records Act at the discretion of the commission. Provides that application information declared confidential by the Indiana economic development corporation (IEDC) is exempt from public disclosure under the Access to Public Records Act. (Under current law, only application information relating to the Indiana twenty-first century research and technology fund is exempt from public disclosure if declared confidential by the IEDC.) Removes the responsibility of the governor to appoint a president of the IEDC and provides instead that the secretary of commerce is also the president of the IEDC. Requires the IEDC to post to a transparency portal on the IEDC's Internet web site: (1) final offer of public financial resources to which the IEDC is a party; and (2) reports submitted by the IEDC to the general assembly. Provides that the IEDC acts as the small business ombudsman. (Under current law, the IEDC designates a single IEDC employee as the small business ombudsman.) Amends the definition of "lender" for purposes of the capital access program. Provides that the chairman and treasurer of the commission serve until replaced by the governor or when the member's term expires, whichever occurs earlier. Provides that the executive director of the commission is the chief administrative officer of the commission and specifies certain duties and powers of the executive officer. Deletes language concerning the composition of the real estate commission.

DIGEST OF HB 1420 (Updated March 22, 2021 3:56 pm - DI 133)

Agricultural emergency procedures. Amends the powers of the board of animal health (board) to allow cooperation with animal owners and law enforcement to plan for, prepare for, respond to, and recover from all hazard emergencies in Indiana. Allows the board to delegate the duty to adopt emergency rules to the state veterinarian. Amends the board's emergency powers to take certain actions if an emergency event has occurred or a disease or pest in animal products

presents a health hazard. Allows the board to issue emergency orders. Allows the board to facilitate the prompt disposal of animals in an emergency event. Provides that an animal may be buried on the owner's premises according to standards approved by the board. Allows the board to adopt rules restricting animal disposal methods in order to control disease and pests in animals and chemical or radiological substances. Allows the state egg board to adopt emergency rules when there is a declared emergency or sudden disruption that affects the commerce of eggs. Allows for service of notice in administrative hearings. Amends the authorization to use electrocution under the criminal statutes concerning offenses against animals.

DIGEST OF HB 1421 (Updated April 20, 2021 4:44 pm - DI 104)

Various health care matters. Provides that the state employee health plan statute does not prohibit the state personnel department from directly contracting with health care providers for health care services for state employees. Provides that if a woman who is in premature labor presents to a hospital, the hospital must inform the woman of the hospital's capabilities of treating the born alive infant and managing a high risk pregnancy. Sets forth requirements that a hospital must meet concerning: (1) a woman who is in premature labor; and (2) a born alive infant. Changes the date that ambulatory outpatient surgical centers are required to begin posting certain pricing information from March 31, 2021, to December 31, 2021. Specifies that the pricing information posted is the standard charge rather than the weighted average negotiated charge and sets forth what is included in the standard charge. Specifies that if an ambulatory outpatient surgical center offers less than 30 additional services, the center is required to post all of the services the center provides. Requires a hospital to post pricing information in compliance with the federal Hospital Price Transparency Rule of the Centers for Medicare and Medicaid Services as in effect on January 1, 2021, if: (1) the federal Hospital Price Transparency Rule is repealed; or (2) federal enforcement of the federal Hospital Price Transparency Rule is stopped. Defines "health carrier" for purposes of the law on health provider contracts. Prohibits the inclusion in a health provider contract of any provision that would: (1) prohibit the disclosure of health care service claims data, including for use in the all payer claims data base; (2) limit the ability of a health carrier or health provider facility to disclose the allowed amount and fees of services to any insured or enrollee, or to the treating health provider facility or physician of the insured or enrollee; or (3) limit the ability of a health carrier or health provider facility to disclose out-of-pocket costs to an insured or an enrollee. Requires the department of insurance to issue a report to: (1) the legislative council; and (2) the interim study committees on financial institutions and insurance and public health, behavioral health, and human services; setting forth its suggestions for revising the department's administrative rules to reduce the regulatory costs incurred by employers seeking to provide health coverage for their employees through multiple employer welfare arrangements.

DIGEST OF HB 1432 (Updated April 8, 2021 5:39 pm - DI 133)

Political subdivision risk management. Requires the Indiana Public Employers' Plan, Inc. (IPEP), which was established as a domestic nonprofit corporation, to apply for a certificate of authority

to transact business as a domestic tax exempt reciprocal insurance company. Provides that, when IPEP receives the certificate of authority and begins to transact business as a domestic tax exempt reciprocal insurance company, all powers, duties, agreements, and liabilities that IPEP had as a domestic nonprofit corporation are transferred to the domestic tax exempt reciprocal insurance company as the successor entity. Repeals and strikes provisions under which mutual insurance associations and reciprocal associations formed and operating for the writing of worker's compensation insurance are exempt from certain laws.

DIGEST OF HB 1436 (Updated April 22, 2021 1:07 pm - DI 106)

State and local administration. Provides that, in an adjudicative administrative proceeding concerning an agency action, the administrative law judge shall order the agency to pay the reasonable attorney's fees incurred, if the party challenging the agency action proves, by a preponderance of the evidence, that: (1) the agency's action was frivolous or groundless; or (2) the agency pursued the action in bad faith. Make a conforming change to the determination of adjusted gross income for purposes of the state income tax deduction for unemployment compensation. Exempts certain hospitals from the nonprofit hospital public forum requirement. Specifies that an advance health care directive must be signed in the presence (but not the "direct physical presence") of two witnesses. Provides that local floodplain administrators in counties having a population of more than 140,000 but less than 150,000 may issue a variance approving a structure located in a floodway without a permit issued by the director of the department if: (1) the structure is not used as an abode or residence; (2) the structure is constructed after January 1, 2018, but not later than July 1, 2020; and (3) the lowest floor of the structure is not more than 0.15 of a foot below two feet above the 100 year flood elevation. Resolves conflicts.

DIGEST OF HB 1437 (Updated March 29, 2021 3:13 pm - DI 140)

Electronic meetings and signatures. Allows a member of a governing body of a political subdivision to participate in a meeting electronically subject to the following: (1) Requires the governing body to adopt a written policy establishing procedures for electronic participation. (2) Requires the technology to permit simultaneous communication between members and the public to attend and observe the proceedings. (3) Requires at least 50% of the members to be physically present at the meeting site. (4) Allows a member participating electronically to be counted for quorum purposes. (5) Provides that a member participating electronically may participate in a final action taken by the governing body only if the member can be seen and heard. Exempts governing bodies of state agencies that have a majority of members with disabilities from certain attendance requirements. Provides that if a statute requires a manual signature for attesting or authenticating an obligation issued by certain state and local public entities, an electronic signature has the same force and effect as a manual signature. Adds provisions applicable to state and local public agencies when a state or local disaster emergency is declared. Makes stylistic changes.

DIGEST OF HB 1438 (Updated March 25, 2021 5:31 pm - DI 133)

Course access program. Makes various changes to the course access program (program) provisions, including the following: (1) Requires the state board of education (state board) to establish certain requirements regarding the program. (2) Establishes the duties of the state board and the department of education (department) regarding the program. (3) Establishes notification requirements for a school corporation regarding an eligible student who submits a request to enroll in a course access program course. (4) Amends a provision that establishes the reasons for which a school corporation may deny an eligible student's enrollment. (5) Provides that a school corporation may be authorized as a course provider if the school corporation meets the requirements for authorization. (6) Allows a course provider to appeal a denial to the state board. (7) Requires the department to approve a civics course access program course that meets certain requirements. (8) Provides that: (A) a school corporation that is an authorized course provider shall provide to the department and post on the school corporation's Internet web site certain information regarding open slots in an online course access program course; and (B) the department shall post the information for each school corporation on the department's Internet web site.

DIGEST OF HB 1441 (Updated March 23, 2021 4:45 pm - DI 133)

Full faith and credit for tribal court orders. Requires that, under certain circumstances, a court of record in Indiana shall give full faith and credit to judgments and orders of a tribal court affiliated with the Pokagon Band of Potawatomi Indians.

DIGEST OF HB 1447 (Updated April 20, 2021 4:23 pm - DI 137)

Good faith health care estimates. Revises the definition of "practitioner" in the laws concerning good faith estimates of costs for health care services. Postpones, from July 1, 2021, to January 1, 2022, the effective date of the requirement that a practitioner provide a good faith estimate of the amount the practitioner intends to charge for a health care service. Requires that the communication by a provider facility and a practitioner to a patient about the patient's right to request a good faith estimate be conspicuous and be provided by at least three of eight specified potential means. Provides that the written notice that a practitioner provides to an individual about a scheduled or ordered nonemergency health care service must state that a good faith estimate of cost need not be provided if the service is scheduled to be performed within five business days of the date of the patient's request. Provides that certain written statements must be in "conspicuous" type instead of in type at least as large as 14 point type. Requires a practitioner or facility to provide a written explanation if the charge for a health care service exceeds the practitioner's or facility's good faith estimate by the greater of: (1) \$100; or (2) 5%. Revises the content of the written statement that an out of network practitioner providing health care services at an in network facility must give to a covered individual in order to be reimbursed more for the health care services than allowed according to the rate established by the covered individual's network plan. Provides that a practitioner can comply with the requirement to provide a good

faith estimate of the amount that the practitioner intends to charge a covered individual by complying with the requirements of the new federal No Surprises Act (Act). Provides that a health carrier may satisfy certain requirements concerning good faith estimates by complying with the Act.

DIGEST OF HB 1448 (Updated April 13, 2021 4:11 pm - DI 133)

Adoption. Permits an individual who seeks to adopt a child less than 18 years of age to file a petition for adoption in any county in Indiana if either of the following is filed with the petition: (1) A written consent to the adoption from each individual whose consent to the adoption is required under Indiana law; (2) A certified copy of a court order terminating the parental rights of each parent whose consent to the adoption is required under Indiana law. Requires notice of an adoption petition to be delivered to imprisoned or detained individuals. Specifies certain requirements when delivering notice of a petition for adoption to an individual whose address is unknown. Provides that certain notice requirements concerning petitions for adoption are met even when the recipient of the notice refuses to accept the offer or tender of the notice. Requires that the notice of an adoption must be given to the local office of the department of child services, if the child is the subject of an open or pending child in need of services proceeding. Mandates that the notice of an adoption must be given to the entity, facility, or individual of which the child is a ward if the child is a subject of an open or pending juvenile delinquency proceeding. Specifies certain other requirements concerning notice for petitions for adoption. Requires the setting aside of an adoption decree if notice is not properly effectuated and the adoption decree is challenged within 45 days of when it was entered. Allows the court to set aside a dismissal of a motion to contest under certain circumstances. Allows the court to consider, in the context of a motion to contest, (1) the parent's substance abuse; (2) the parent's voluntary unemployment; or (3) instability in the parent's household, if the parent has made substantial and continuing progress and it appears reasonably likely that progress will continue. Makes conforming amendments.

DIGEST OF HB 1449 (Updated April 15, 2021 2:06 pm - DI 101)

Broadband development. Amends the statute governing the awarding of grants from the rural broadband fund as follows: (1) Provides that an "eligible broadband project" for purposes of the statute includes a project for the deployment of terrestrial broadband infrastructure: (A) to buildings used by public school corporations primarily for educating students; (B) to rural health clinics; (C) to ensure that eligible students (defined as Indiana residents who are less than 23 years of age and who are enrolled in a K-12 school in Indiana) have access points providing a connection to eligible broadband service; and (D) in rural areas in Indiana. (Current law provides that an "eligible broadband project" means only a project for the deployment of broadband infrastructure for the provision of eligible broadband service in rural areas in Indiana.) (2) Specifies that terrestrial broadband infrastructure includes infrastructure used for a fixed wireless Internet connection but does not include infrastructure used for a satellite Internet connection. (3) Provides that "eligible broadband service" means a connection to the Internet that provides an

actual speed of at least: (A) 1,000 megabits per second downstream for a project involving the deployment of broadband infrastructure to public school corporation buildings or rural health clinics; or (B) 50 megabits per second downstream and at least five megabits per second upstream for a project to provide to eligible students access points for connections to eligible broadband service, or for a project to provide eligible broadband service to rural areas. (4) Specifies the following priorities for the awarding of grants from the rural broadband fund: (A) First, for extending eligible broadband service to public school corporation buildings with respect to which the only available Internet connections are at actual speeds of less than 1,000 megabits per second downstream. (B) Second, for extending eligible broadband service to rural health clinics with respect to which the only available Internet connections are at actual speeds of less than 1,000 megabits per second downstream. (C) Third, for extending eligible broadband service so as to ensure that every eligible student has at the student's residence an access point providing a connection to eligible broadband service. (D) Fourth, extending eligible broadband service to rural areas in which the only available connections to the Internet are at actual speeds of less than 25 megabits per second downstream. (5) Provides that a state agency may fund an eligible broadband project that is designated as a lower priority under the funding priorities set forth in the statute if no competitive applications for eligible broadband projects designated as a higher priority are submitted in a particular round of grant funding. (6) Specifies that a grant may not be awarded from the rural broadband fund: (A) for any project to extend the deployment of eligible broadband service to one or more service addresses for which funding from the federal government has been used or will be disbursed to extend broadband service at actual speeds of at least 25 megabits per second downstream to those same addresses; or (B) if the awarding of the grant would jeopardize funding that has been awarded by the federal government under certain programs for purposes of expanding broadband service in Indiana. (7) Provides that the system of priorities used by the office of community and rural affairs (office) for awarding grants from the rural broadband fund must give preference to projects that require a lower contribution from the fund per passing, as determined by a specified calculation. (8) Provides that the procedures established by the office for the awarding of grants from the rural broadband fund must require the office to: (A) include, in publishing grant applications to the office's Internet web site, specific addresses for which state funds would be used to provide eligible broadband service; and (B) consider, in making a determination as to whether to award a grant to an applicant, all comments or objections received during the statutory comment period, including any new grant application that: (i) is submitted within the statutory comment period by another eligible broadband service provider; and (ii) indicates that such other provider would be willing to provide eligible broadband service to the same addresses at a lower cost to the state. (9) Requires the office to establish a program to expand broadband Internet connectivity by: (A) entering into agreements with broadband service providers under which such providers agree to accept subsidy payments distributed by the office as a form of payment for eligible broadband service; and (B) distributing subsidy payments to participating providers to be used as a form of payment for eligible broadband service provided before July 1, 2025, to certain persons and entities, prioritized as follows: (i) School buildings. (ii) Rural health clinics. (iii) Eligible students. Provides that money in the rural broadband fund may be used to provide financial assistance under the new program. (10) Requires the office to establish and publish on the office's Internet

web site: (A) specific, measurable goals; and (B) metrics to be used in assessing the progress made toward accomplishing those goals; for the disbursement of state broadband grant funds. (11) Requires the office to report annually to the interim study committee on energy, utilities, and telecommunications (rather than to the general assembly, under current law) concerning the awarding of state broadband grants. (12) Requires the state board of accounts to conduct an annual audit (rather than an audit every three years, under current law) of the awarding of state broadband grants. Establishes the Indiana broadband connectivity program (connectivity program), under which the office must establish a public broadband portal through which an individual may report that minimum broadband Internet (defined as a connection to the Internet at an actual speed of at least 25 megabits per second downstream and at least three megabits per second upstream) is unavailable at the individual's residential or business address. Provides that the public broadband portal must solicit information as to whether one or more eligible students reside at an address that is reported by an individual through the portal. Provides that the office may contract or consult with one or more third parties in the creation or administration of the portal. Provides that a broadband Internet provider may: (1) register with the connectivity program; (2) receive, at least every three months, notice of addresses submitted to the office as addresses at which minimum broadband Internet is unavailable; (3) report to the office any listed address at which the provider's minimum broadband Internet service is already available; and (4) bid for an award of a grant for purposes of extending connectivity to broadband Internet service (defined as a connection to the Internet at an actual speed of at least 50 megabits per second downstream and at least five megabits per second upstream) to an address at which minimum broadband Internet is unavailable. Provides that if the office does not receive notice from any providers that minimum broadband Internet is available at an address reported through the public broadband portal, the office shall transmit to each registered provider a bid notification for provision of broadband Internet service at the address. Specifies requirements for a provider's submission of a bid under the program. Provides that in evaluating the bids received, the office shall select the provider whose bid presents the lowest cost to the state for extension of the provider's broadband Internet infrastructure to the address. Provides that the amount of a grant awarded to a registered provider under the program may not exceed the following: (1) A per-line extension amount that exceeds \$25,000. (2) A per-passing amount that exceeds the state's cost per passing for all grants awarded from the rural broadband fund for rural broadband grants as of the last day of the immediately preceding state fiscal year, as calculated by the office. Requires the office to enter into an agreement with a provider that is awarded a grant under the program. Requires the office to provide to the general assembly an annual report containing specified data regarding the connectivity program.

DIGEST OF HB 1453 (Updated April 13, 2021 4:11 pm - DI 133)

Judicial selection in Lake and St. Joseph counties. Provides that the judicial nominating commission (commission) for the Lake and St. Joseph superior courts consists of seven voting members, with three voting members appointed by the governor and three voting members appointed by the county board of commissioners, and the chief justice of Indiana or the chief justice's designee serving ex officio as a voting member only to resolve tie votes and as

chairperson of the commission. (Current law provides that the commission for the Lake superior court consists of nine members.) Provides that the governor must appoint to the commission one attorney member, one nonattorney member who has never been licensed to practice law, and one member that is a woman. Provides that the county board of commissioners must appoint to the commission one attorney member, one nonattorney member who has never been licensed to practice law, and one member that is from a minority group. Provides that the chairperson of the commission shall have standing to dispute the validity of an appointed member. Provides that a voting member of the commission for: (1) the Lake superior court shall reside in Lake County; and (2) the St. Joseph superior court shall reside in St. Joseph County. Provides that a voting member may not have a prior felony conviction. Repeals provisions concerning the appointment of nonattorney commissioners and the election of attorney commissioners to the commission. Provides that after the commission has nominated and submitted to the governor the names of five persons to fill a vacancy in the Lake or St. Joseph superior court, the governor shall select the most qualified person to fill the vacancy. (Current law provides that the commission for the Lake superior court nominate and submit to the governor the names of three people to fill a vacancy in the superior court.) Makes conforming changes.

DIGEST OF HB 1462 (Updated April 8, 2021 5:40 pm - DI 133)

Secretary of state securities division matters. Allows the Indiana securities commissioner to request additional information for determining whether a franchise offer or sale is exempt from registration requirements. Provides that a continuing care retirement community's annual disclosure statement must be filed not later than 12 months following the end of its fiscal year. Provides that an individual may not engage in loan processing activities unless certain requirements have been met. Provides that a registered mortgage loan originator is not required to obtain a license under the law governing loan brokers. Provides that the securities division may discipline an individual who fails to comply with disclosure requirements. Amends the law on the licensing of collection agencies by adding a definition of "branch office" and providing that it is unlawful to operate a branch office without meeting certain requirements or to fail to comply with certain disclosure requirements.

DIGEST OF HB 1464 (Updated March 16, 2021 3:43 pm - DI 133)

Business law. Provides that the secretary of state (secretary) may remove a name or assumed name from its entity filing records if a name or assumed name falsely indicates or implies that the domestic filing entity or the foreign filing entity is, or is connected with, a government agency of this state, another state, or the United States. Expands what qualifies as an emergency as it relates to shareholder meetings. Sets forth the actions a corporation may take to address an emergency, including postponing a meeting or conducting a meeting by means of remote communication. Provides that a nonprofit corporation may hold meetings by means of remote communication, if provided for in the nonprofit corporation's bylaws. Allows a public corporation governed by IC 23-1 to elect not to have a staggered board system if the board of directors adopts a bylaw expressly electing not to. Provides that trademark filings shall be submitted electronically to the

secretary.

DIGEST OF HB 1466 (Updated March 22, 2021 4:05 pm - DI 133)

Performance bonding of developers. Requires (rather than allows) a local unit to grant a secondary approval to a plat for a subdivision in which improvements and installations have not been completed if the applicant provides: (1) a performance bond or other proof of financial responsibility; or (2) if installation or extension of utility service is involved, proof of contracting with a utility or a political subdivision for the installation or extension. Provides that the only condition precedent that a local unit may require to recording a secondary plat is that the land developer obtain a performance bond or other surety for: (1) unfinished streets, sanitary piping, storm water piping systems, water mains, sidewalks and ornamental landscaping located in common areas; and (2) erosion control. Provides a definition of "common area".

DIGEST OF HB 1468 (Updated April 22, 2021 1:35 pm - DI 77)

Various health matters. Requires the office of the secretary of family and social services (office) to apply for a Medicaid state plan amendment or Medicaid waiver for the following: (1) Reimbursement of Medicaid rehabilitation option services for a Medicaid eligible recipient who is undertaking an initial assessment, intake, or counseling in a community mental health center. (2) Reimbursement for Medicaid rehabilitation option services concurrently with reimbursement under the residential addiction treatment program. Requires a community mental health center to commence a plan of treatment within two weeks for a Medicaid recipient who receives services after the office has amended the state plan. Specifies that for purposes of a community mental health center, telehealth services satisfy any face to face meeting requirement between a clinician and consumer. Requires at least two members of the division of mental health and addiction planning and advisory council to be community mental health center chief executive officers or designees. Specifies that the division of mental health and addiction (division) has primary oversight over suicide prevention and crisis services activities and coordination and designation of the 9-8-8 crisis hotline centers. Sets forth requirements to be designated as a 9-8-8 crisis hotline center. Establishes the statewide 9-8-8 trust fund. Allows advanced practice registered nurses and physician assistants to perform certain duties that are performed by a physician under the home health agencies laws. Allows a nonprofit association of cities and towns to participate in the state aggregate prescription drug purchasing program. Requires a public school that issues, after June 30, 2022, a student identification card to a student in grade 6, 7, 8, 9, 10, 11, or 12 to include on the student identification card the 9-8-8 crisis hotline and other crisis hotline phone numbers. Delays the requirement that a prescription for a controlled substance be in an electronic format until January 1, 2022. Allows for an exemption from the requirement of issuing a controlled substance prescription in an electronic format if the dispensing pharmacy or provider is unable to receive or process an electronically transmitted prescription. Requires certain rules adopted by the Indiana board of pharmacy (board) to be substantially similar to certain federal regulations. Adds behavior analysts to the definition of "practitioner" for purposes of the telehealth laws. Amends the definition of "telehealth". Amends the required graduate level

courses and clinical experience that an applicant is required to obtain for a license as a clinical addiction counselor. Allows a pharmacist and pharmacy technician to administer an immunization for coronavirus disease. Allows a registered nurse to provide for the direct supervision of a pharmacist intern or pharmacist student who administers an immunization. Changes references of the "pharmacist in charge" to the "pharmacist on duty". Allows a pharmacist to supervise eight pharmacy interns. Allows a pharmacy technician to work remotely to perform specified responsibilities. Provides that the board shall hold the pharmacy permit holder accountable, rather than the qualifying pharmacy, for staffing violations if the qualifying pharmacist does not have the authority to make staffing determinations. Specifies that a transfer of a prescription includes a schedule II controlled substance. Removes the requirement that a pharmacist provide a patient with a written advance beneficiary notice that states that the patient may not be eligible for reimbursement for the device or supply. Changes remote dispensing facility requirements concerning location of the facility. Changes how long a remote dispensing facility must retain a surveillance recording from 45 days to 30 days. Removes specified physical requirements that a video monitor being used by the remote facility must meet. Adds therapeutic substitution to the definition of "protocol" for purposes of drug regimen adjustments and defines "therapeutic alternative" and specifies use of therapeutic alternative requirements for protocols. Removes a requirement for drug protocols concerning availability of medical records. Allows for physician assistants and advanced practice registered nurses to make referrals to pharmacists. Removes the requirement that the executive director of the Indiana professional licensing agency provide advice and consent before a majority of the members of the physical therapist committee may call a meeting. Requires the medical licensing board to adopt rules before January 1, 2022, that are required under the laws concerning physician assistants. Adds any plan or program that provides payment, reimbursement, or indemnification for the cost of prescription drugs to the definition of a "health plan". Adds two members to the justice reinvestment advisory council.

DIGEST OF HB 1479 (Updated March 23, 2021 4:45 pm - DI 133)

Early voting. Provides that the county election board may adopt a resolution authorizing the circuit court clerk to use the office of the circuit court clerk or establish a satellite office to permit voters to cast absentee ballots for at least four hours on the third Saturday preceding election day.

DIGEST OF HB 1483 (Updated April 15, 2021 1:38 pm - DI 133)

Grain indemnity fund. Adds and amends definitions under the Indiana grain buyers and warehouse licensing law (licensing law). Requires contracts to purchase grain from producers to contain a notice that deferred priced grain must be priced within the crop year. Modifies the duties of the director (director) of the Indiana grain buyers and warehouse licensing agency (agency). Specifies that the grain indemnity fund consists of fines collected by the director. Increases the maximum amount of a bond required for a license. Requires that if the director finds a deficiency in minimum net worth before the licensee's next audit by the agency, the director shall issue a notice of deficiency to the licensee stating that the licensee has 30 days to correct the deficiency and if the licensee fails to correct a deficiency in minimum net worth

within the 30 day period, the director may issue a fine. Provides that if a licensee fails to correct a deficiency in minimum net worth within 60 days of receiving a fine the director may issue a temporary suspension. Provides that a licensee may not enter into a deferred pricing agreement after July 1, 2022, that extends beyond the crop year for the delivered grain. Provides that if a deferred pricing agreement in connection with a grain purchase was entered into before July 1, 2021, the licensee shall complete the licensee's payment obligations to the seller under the agreement before January 1, 2024. Establishes criteria to determine the price date in the deferred pricing agreement. Provides that if a licensee fails to price grain, the director may impose a fine. Adds a definition of "conflict of interest". Provides that the attorney general may designate an attorney representative to serve on the board (board) of the Indiana grain indemnity corporation (corporation). Modifies duties of the board. Provides that a board member of the corporation with a conflict of interest in a proceeding before the board is recused from the proceedings. Provides that, if a board member is found to have violated the terms of a confidentiality agreement, the board member forfeits the member's appointment to the board and shall be removed as a member of the board. Requires that if a board member is suspected of violating a confidentiality agreement the matter must be referred to the office of the attorney general. Allows the corporation to: (1) study fund solvency, practices, and procedures; and (2) pay legal fees and legal expenses in actions brought against the corporation or the board of the corporation. Increases the amount from \$250,000 to \$350,000 that may be transferred to the administrative expense account (account). Adds a study of fund solvency, practices, and procedures, professional development and training programs, technology software updates and technology support services, and professional training for board members to listed administrative expenses allowed from the account.

DIGEST OF HB 1485 (Updated April 13, 2021 4:12 pm - DI 133)

Voting matters. Defines "breach of peace" and "law enforcement officer" for purposes of election law. Includes an identification document issued by a Native American Indian tribe or band for purposes of proof of identification. Specifies to whom a watcher must report any violation of election laws. Requires the prior consent of an inspector for a watcher to object to any other precinct election officer concerning an alleged violation of election laws and allows for the removal of the watcher and revocation of credentials for a violation. Amends the definition of "electioneering" and adds language prohibiting making verbal statements, displaying certain written statements, or the display of support for the approval or defeat of a public question and electioneering before election day in specified locations. Makes it criminal trespass for a person to enter or refuse to leave a polling location after having been prohibited entry or asked to leave by an election officer or a law enforcement officer acting on behalf of an election officer.

DIGEST OF HB 1496 (Updated March 16, 2021 3:43 pm - DI 133)

Natural resource matters. Provides that a permit issued to a quarrying or aggregate company for excavation of certain industrial materials is valid for the duration of the permitted project subject to periodic compliance evaluations. Establishes that a permit issued for aggregate operations

becomes void if construction has not commenced within two years of the issuance of the permit. Requires a permit holder to notify the commission within six months after completing a permitted project. Provides that a permit issued on or before July 1, 2014, that remains active for a quarrying or aggregate company for excavation of certain industrial materials is valid for the duration of the permitted project subject to permit conditions and periodic evaluations, and requires the holder of the permit to notify the commission not later than January 1, 2022, if the permitted project is still active. Provides that failure to notify the commission will cause the permit to expire. Requires the holder of the permit to notify the commission that the project is completed within six months after the project's completion.

DIGEST OF HB 1497 (Updated April 6, 2021 5:58 pm - DI 133)

Home health services. Amends the definition of "home health agency", for purposes of the home health agency licensure laws, to provide that a person may provide or offer to provide nursing services and at least one home health service for compensation. Specifies that the term does not include: (1) services under the Program of All-Inclusive Care for the Elderly (PACE); or a person that only administers home infusion therapy based on a specialty medication prescription.

DIGEST OF HB 1514 (Updated April 21, 2021 3:22 pm - DI 116)

Various education matters. Requires the state board of education (state board) to: (1) establish a compilation of longitudinal data indicating school performance success in various selected and enumerated program areas; and (2) present the data for each school in a manner that is commonly known as an Internet dashboard. Requires each school to post on a web page maintained on the school's Internet web site the exact same data and in a similar format as the data presented for the school on the state board's Internet web site. Allows a school to include custom indicators on the school's web page. Provides that the performance of a school's students on the statewide assessment program test and other criterion referenced benchmark assessments recommended by the department of education (department) and approved by the state board are the primary and majority means of assessing a school's improvement. (Current law provides that the performance of a school's students on the statewide assessment program test and other assessments recommended by the department and approved by the state board are the primary and majority means of assessing a school's improvement.) Provides that the state board may assign each domain, indicator, or measure used to assess school performance a separate and distinct category or designation. Provides that the state board shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2020-2021 school year. Provides that the department shall conduct, in collaboration with the state board, a learning loss study regarding students in kindergarten through grade 10. Urges the legislative council to assign to an appropriate study committee for the 2022 interim and the 2023 interim the task of studying the information in the reports. Provides that the department shall report the benchmark assessment data results from all of the providers in the state three times annually to the: (A) governor; (B) state board; and (C) legislative council. Amends requirements that a benchmark, formative, interim, or similar assessment must meet for approval by the state board. Provides

that, if a student is determined to be at risk, or at some risk, for dyslexia after a screening, the school corporation or charter school shall administer a level I dyslexia screening of the student within 90 days of the date the student's school year commences. Provides that before the state board may approve a benchmark, formative, interim, or similar assessment, the assessment vendor must enter into a data share agreement with the department. Repeals provisions that: (1) provide consequences for failing schools; (2) provide consequences for failing charter schools or choice scholarship schools; and (3) authorize the establishment of turnaround academies.

DIGEST OF HB 1516 (Updated March 30, 2021 4:43 pm - DI 140)

Licensure of behavior analysts. Establishes the behavior analyst committee (committee) with oversight by the medical licensing board of Indiana (board). Requires the committee to recommend proposed rules to the board concerning the practice of behavior analysis and continuing education requirements for behavior analysts and assistant behavior analysts. Requires the board to establish fees upon consideration of recommendations from the committee. Provides for the licensing of behavior analysts and assistant behavior analysts. Requires a licensed behavior analyst or licensed assistant behavior analyst to comply with a professional code published by the Behavior Analyst Certification Board, Inc. Makes it a Class A misdemeanor for an unlicensed individual to profess to be a licensed behavior analyst or licensed assistant behavior analyst, but provides that certain types of individuals may use applied behavior analysis techniques without being licensed.

DIGEST OF HB 1520 (Updated March 30, 2021 4:44 pm - DI 140)

Electric utility reliability adequacy metrics. Provides that a public utility (defined in the bill as a utility listed in the utility regulatory commission's (IURC's) rule concerning integrated resource planning) that owns and operates an electric generating facility serving Indiana customers shall operate and maintain the facility using good utility practices and in a manner: (1) reasonably intended to support the provision of reliable and economic electric service to customers; and (2) reasonably consistent with the resource reliability requirements of the Midcontinent Independent System Operator (MISO) or any other appropriate regional transmission organization. Provides that, not later than 30 days after the deadline for submitting an annual planning reserve margin report to MISO, each public utility providing electric service to Indiana customers shall file with the IURC a report that provides the following information for each of the next three resource planning years: (1) The capacity, location, and fuel source for each electric generating facility that is owned and operated by the electric utility, and that will be used to provide electric service to Indiana customers. (2) The amount of generating resource capacity or energy, or both, that the public utility has procured under contract, and that will be used to provide electric service to Indiana customers. (3) The amount of demand response resources available to the public utility under contracts and tariffs. (4) The planning reserve margin requirements and other federal reliability requirements that the public utility is obligated to meet, including a comparison of each reported planning reserve margin requirement with the planning reserve margin requirement for the 2021-2022 planning year. (5) The reliability adequacy metrics (as defined in the bill) for

the public utility, as forecasted for the three planning years covered by the report. Provides that in reviewing a public utility's report, the IURC may request technical assistance from MISO or any other appropriate regional transmission organization in making certain determinations concerning the adequacy of the public utility's available capacity resources to support the provision of reliable electric service. Provides that if, after reviewing a public utility's report, the IURC is not satisfied that the public utility can: (1) provide reliable electric service to the public utility's Indiana customers; or (2) meet its planning reserve margin requirement or other federal reliability requirements; during any of the planning years covered by the report, the IURC may conduct an investigation as to the reasons. Provides that if, after such an investigation, the IURC determines that the capacity resources available to the public utility will not be adequate to support the provision of reliable electric service to the public utility's Indiana customers, or to allow the public utility to meet its planning reserve margin requirements or other federal reliability requirements, the IURC shall issue an order directing the public utility to acquire or construct such capacity resources as are reasonable and necessary to enable the public utility to meet these requirements. Provides that not later than 90 days after the date of such an order by the IURC, the public utility shall file for approval with the IURC a plan to comply with the order. Provides that the IURC shall annually submit to the governor and to the interim study committee on energy, utilities, and telecommunications a report that includes the following: (1) The IURC's analysis regarding the ability of public utilities to: (A) provide reliable electric service to Indiana customers; and (B) meet their planning reserve margin requirements or other federal reliability requirements; for the next three resource planning years. (2) A summary of: (A) the projected demand for retail electricity in Indiana over the next calendar year; and (B) the amount and type of capacity resources committed to meeting this demand. Authorizes the IURC to adopt rules to implement these provisions.

DIGEST OF HB 1531 (Updated April 13, 2021 4:45 pm - DI 133)

DCS and the education community. Defines "exigent circumstances" for purposes of action taken by the department of child services (DCS) with respect to a child. Allows DCS to interview a child at the child's school, except for at a nonaccredited nonpublic school with less than one employee, without parental consent if: (1) the DCS employee presents their credentials upon arrival at the school; and (2) DCS presents a written statement that DCS has parental consent, a court order, or exigent circumstances. Requires that the written statement shall not be maintained in the child's file and must protect the child's and child's family's confidentiality. Mandates that DCS provide assurances that the child's school, or its representative, has been invited to participate in the case plan process.

DIGEST OF HB 1532 (Updated March 29, 2021 3:13 pm - DI 140)

Department of child services reporting. Requires the department of child services (department) to annually submit to the general assembly a report providing specified information regarding cost reports submitted to the department by child caring institutions, group homes, child placing agencies, and private secure facilities. Requires the first such report submitted by the department

to provide the specified information for the preceding four years.

DIGEST OF HB 1536 (Updated March 29, 2021 3:13 pm - DI 140)

Department of child services. Provides that if the governor declares a state of disaster emergency, the department of child services (department) may: (1) allow older youth who are receiving collaborative care services at the time of the declaration to continue to receive collaborative care services for the duration of the state of disaster emergency; and (2) modify or suspend enforcement of a statute or rule specifying a time within which a foster parent must provide for a child to be examined by a physician, physician assistant, or advanced practice registered nurse after the child's placement in the foster parent's home.

DIGEST OF HB 1537 (Updated March 29, 2021 3:13 pm - DI 140)

Commission on improving the status of children. Changes the membership of the commission on improving the status of children in Indiana (commission). Provides that the affirmative votes of a majority of the voting members appointed to the commission are required for the commission to take action on any measure.

DIGEST OF HB 1541 (Updated April 6, 2021 5:58 pm - DI 133)

Landlord-tenant relations. Eliminates the general restriction on the authority of a county, city, town, or township concerning regulation of landlord-tenant relationship matters not specifically described by state statute. Prohibits the waiver of laws regarding retaliatory acts by a landlord.

DIGEST OF HB 1549 (Updated April 22, 2021 1:22 pm - DI 116)

Education matters. Provides that, beginning with students who graduated during the 2017-2018 school year and not later than January 1, 2022, the department of education (department), in collaboration with the management performance hub (MPH), shall report on the department's Internet web site the median earned income of graduates of a particular school year, for each school corporation, charter high school, or state accredited nonpublic school. Provides that the governor's workforce cabinet may establish a course catalog that shall list all: (A) work based learning, preapprenticeship, and apprenticeship opportunities in Indiana; and (B) providers that are eligible to receive high value workforce ready grants. Exempts an educational program: (A) consisting of a group of not more than 10 students who attend the educational program in lieu of attending pre-kindergarten or kindergarten through grade 12 at a public or private school; (B) whose students meet in a single classroom in person or outside a classroom and which may include mixed age level groupings; and (C) that is under the supervision of a teacher or tutor; from licensure requirements for child care centers. Provides that the median earned income for a particular graduating class shall be available on the department's Internet web site for a period of 10 years beginning with the school year in which the median earned income for a particular graduating class is initially reported. Provides that the median earned income of a particular

graduating class for a school corporation, charter school, or state accredited nonpublic school shall be updated annually. Adds a definition of "school based enterprise". Provides that an applicable high school shall comply with all rules of the fire prevention and building safety commission applicable to the primary use of the building. Provides that if a governing body passes a resolution to close a high school within the school corporation, the governing body shall develop a plan relating to the preservation or transfer of memorabilia, trophies, or other property that may have historical significance. Allows the priority enrollment period for the prekindergarten pilot program to begin later than April 1, 2021, in calendar year 2021. Amends limits on the percentage of appropriated funds that may be used for grants to limited eligibility children under the prekindergarten pilot program. Provides that the department shall make informational material that is evidence based available on the department's Internet web site that may help teachers and other school employees identify a student who may have been impacted by trauma. Provides that a charter school may give enrollment preference to children who attend another charter school that is closed or non-renewed because of action by the state board of education (state board). Establishes the Cambridge International program (program). Requires the department to: (1) administer the program; and (2) submit a report regarding the program to the state board each year. Establishes the Indiana postsecondary prior learning assessment clearinghouse (clearinghouse). Requires the governor to direct the commission for higher education (commission), department, and governor's workforce cabinet (cabinet), in collaboration with state educational institutions, to: (1) develop and regularly update the clearinghouse; and (2) collect information concerning prior learning assessments used by state educational institutions to award advanced standing or postsecondary credit. Requires each state educational institution to report prior learning assessment information. Requires the commission, department, and the cabinet to publish the clearinghouse information on its respective Internet web site. Requires the governor to direct the commission, department, and cabinet, in consultation with state educational institutions, to prepare model guidance and informational resources concerning postsecondary enrollment opportunities that incorporate work based learning experiences. Requires the governor to direct the commission, department, and cabinet to publish model guidance and information resources on its respective Internet web site. Provides that, if a student is enrolled to attend in-person instruction at a school and the student participates in any virtual instruction or remote learning that is provided by the school, the school shall ensure that the virtual instruction or remote learning meets certain requirements. Provides that, if a school corporation denies a student's enrollment in a course access program course, the school corporation shall notify the department, in a manner prescribed by the department, of the reason the student was denied enrollment. Relocates the definition of "appropriate vehicle" to provide that the same definition applies throughout Title 20 of the Indiana Code. Provides that a school corporation may enter into a transportation agreement or fleet agreement with a transportation network company or transportation network company driver. Provides that a student's individualized education program may allow for the student's transportation by appropriate vehicle. Requires the state board to adopt rules governing student transportation by appropriate vehicle. Provides that a superintendent, after approval from the governing body, shall establish procedures for adoption of curricular materials. (Current law provides that the superintendent shall establish procedures for adoption of curricular materials.) Provides that a school

corporation may differentiate the amount of salary increases or increments determined for teachers for reasons the school corporation determines are appropriate. (Current law provides that a school corporation may differentiate the amount of salary increases or increments determined for teachers on any academic needs the school corporation determines are appropriate.) Provides that a student who does not achieve a passing score on the graduation examination and who does not meet the graduation requirements is not required to take the graduation examination in each subject area in which the student did not achieve a passing score during the 2020-2021 school year if the student could not take the graduation examination due to the coronavirus disease (COVID-19). Provides that, not later than November 1, 2021, the commission shall prepare a: (1) higher education business model transformation report; (2) free speech on college campus report; and (3) protection from foreign malfeasance report. Changes the expiration date, from June 30, 2021, to June 30, 2023, of a provision that allows an individual with a bachelor of science in nursing to teach clinical courses for an associate degree program if the individual enrolls in a nurse educator certificate program and, within two years of the individual's hire date, enrolls in a master's degree program. Provides that an individual may practice speech-language pathology in Indiana under a license to practice speech-language pathology issued by a state that has entered into a reciprocity agreement with the board under which an individual licensed to practice speech-language pathology in Indiana is authorized to practice speech-language pathology in the other state under the individual's Indiana speech-language pathology license. Provides that, after June 30, 2021, the department may provide funding for students of accredited schools to take not more than three Cambridge International exams per student. Provides that the department is authorized to use funds to provide professional development training for teachers who teach Cambridge International courses. Provides that a school employer may allow governing body members or the public to participate in certain collective bargaining hearings by means of electronic communication. Requires a ratified collective bargaining agreement to include a provision specifying the date on which the public hearing or public meeting occurred as well as an attestation signed by both parties attesting that the public hearing or public meeting occurred on the dates specified in the ratified collective bargaining agreement. Provides that the governing body shall indicate as part of the attestation whether governing body members or members of the public were allowed to participate by means of electronic communication. Provides that a high school may replace certain high school courses on the high school transcript with alternative courses in science, technology, engineering, or mathematics (STEM) in order to satisfy an Indiana diploma with a Core 40 with an academic honors designation or another designation requirement. Provides beginning July 1, 2021, the organizer of one or more non-virtual charter schools that are located within the same city or town must hold at least 50% of the public meetings of the governing board of the non-virtual charter schools within the county in which the charter schools are located. Provides that, before July 1, 2022, the state board shall adopt rules to establish: (A) requirements that a vendor must to operate or manage a dedicated virtual education school; and (B) financial reporting and oversight required by a school corporation and a vendor who enter into or renew a contract. Provides that the governing body of a school corporation may enter into a public-private agreement for the construction of new school buildings. Makes a technical correction. Repeals provisions: (1) regarding high school credit for Cambridge International courses; and (2) that require the department to annually prepare a report that

includes certain information regarding the coalition of continuous improvement school districts.

DIGEST OF HB 1553 (Updated March 30, 2021 4:45 pm - DI 140)

Higher education matters. Changes the eligibility requirements for the next generation Hoosier educators scholarship and provides that a student may qualify for the scholarship by achieving a cumulative grade point average upon graduation of at least a 3.5 on a 4.0 grading scale during grades 9, 10, 11, and 12. Requires the commission for higher education to give priority to an individual who is: (1) a recent high school graduate; (2) pursuing a teacher shortage area; (3) showing significant financial need; or (4) a member of a household with an annual income of not more than the amount required for the individual to qualify for the free or reduced price lunch program as determined for the immediately preceding taxable year. Provides that the National Guard tuition supplement program may be used by a scholarship applicant for graduate credits.

DIGEST OF HB 1558 (Updated April 13, 2021 4:12 pm - DI 133)

Indiana crime guns task force. Establishes the Indiana crime guns task force (task force) to address violent crime in Boone, Hamilton, Hancock, Hendricks, Marion, Morgan, Johnson, and Shelby counties by delivering, in cooperation with state and federal officials, a uniform strategy to trace firearms used to commit crimes. Establishes an executive board to direct and oversee the task force. Requires the Indiana criminal justice institute to establish and administer the task force fund. Makes conforming amendments.

DIGEST OF HB 1564 (Updated March 23, 2021 4:45 pm - DI 133)

Secretary of education. Organizes and corrects statutes, as required by P.L.8-2019 (HEA 1005-2019), concerning the state superintendent of public instruction. Makes changes, as applicable, from the state superintendent of public instruction as an elected position to the secretary of education as an appointed position. Provides that, if the office of a state officer is abolished, certain ethics and conflict of interest provisions continue to apply to the former state officer. Provides that all powers, duties, agreements, liabilities, property, and records of the state superintendent of public instruction are transferred to the secretary of education, as the successor to the state superintendent of public instruction. Provides that the secretary of education shall enter into and maintain a contract for professional development services with an organization that provides a nationally recognized training program for professional development in computer science education from early learning through postsecondary education. (The current provision provides that the state superintendent of public instruction shall, before August 1, 2018, enter into a contract for the professional development services.) Repeals the following: (1) Provisions concerning the definition of "state superintendent" and "office". (2) A provision regarding the education dispute resolution working group. (3) A provision that requires, not later than June 30, 2020, the governing body of the Muncie Community school corporation to provide a report on the plan for the long term fiscal viability and academic innovation of the Muncie Community school corporation.

DIGEST OF HB 1576 (Updated March 8, 2021 2:34 pm - DI 133)

Transportation asset management plans. Requires the department of transportation (department) post asset management plans approved by the department to an Internet web site maintained by the department or by an entity contracted by the department to approve asset management plans not later than July 1, 2022.

DIGEST OF HB 1577 (Updated April 6, 2021 5:59 pm - DI 133)

Abortion matters. Adds mental health providers to the list of persons who may not be required to participate in specified procedures and practices concerning abortion or aborted remains if the mental health provider objects to such procedures and practices on the basis of ethical, moral, or religious belief. Provides that an abortion inducing drug may not be dispensed, prescribed, or given to a woman after eight weeks of postfertilization age. Requires a physician to dispense the abortion inducing drug in person and have the pregnant woman consume the drug in the presence of the physician. Removes FDA guidelines from a provision concerning manufacturer instruction sheets and patient agreement forms pertaining to abortion inducing drugs. Requires an ultrasound image of a pregnant woman's fetus to be provided: (1) to a pregnant woman for her to keep; and (2) at no cost or charge to the pregnant woman; in the event of fetal ultrasound imaging. Requires certain information concerning the reversal of specified abortion inducing drugs to be provided to a pregnant woman in certain instances. Requires a specified report to identify the: (1) facility; and (2) city or town; where required information concerning an abortion was provided. Requires specified individuals to include, or to ensure the inclusion of, a copy of a pregnant woman's ultrasound report in the applicable patient file. Prohibits an abortion clinic from receiving an annual license renewal if ultrasound reports are not included in a pregnant woman's patient file. Provides that the written parental consent for purposes of abortion laws concerning an unemancipated pregnant woman less than 18 years of age must be notarized. Prohibits the state department of health from renewing an abortion clinic's license if noncompliance discovered during an annual inspection is not remedied. Prohibits the use of telemedicine to provide any abortion, including the writing or filling of a prescription for any purpose that is intended to result in an abortion. Defines certain terms. Makes conforming amendments.

DIGEST OF SB 1 (Updated February 15, 2021 4:55 pm - DI 133)

Civil immunity related to COVID-19. Provides civil tort immunity for damages arising from COVID-19 on the premises owned or operated by a person, on any premises on which the person or an employee or agent of the person provided property or services to the individual, or during an activity managed, organized, or sponsored by the person, except for an act or omission that constitutes gross negligence or willful or wanton misconduct (including fraud and intentionally tortious acts). Defines "COVID-19 protective product" and provides civil tort immunity for harm that results from the design, manufacture, labeling, sale, distribution, or donation of a COVID-19 protective product, except for an act or omission that constitutes gross negligence or willful or wanton misconduct (including fraud and intentionally tortious acts). Prohibits class action suits.

DIGEST OF SB 2 (Updated March 8, 2021 1:42 pm - DI 133)

Funding for virtual instruction in public schools. Establishes a definition of "virtual instruction" for purposes of determining a school corporation's basic tuition support using the: (1) 2020 fall count; and (2) 2021 spring count; of average daily membership.

DIGEST OF SB 3 (Updated March 30, 2021 3:39 pm - DI 140)

Telehealth matters. Prohibits the Medicaid program from specifying originating sites and distant sites for purposes of Medicaid reimbursement. Prohibits the use of telehealth to provide any abortion, including the writing or filling of a prescription for any purpose that is intended to result in an abortion. Changes the use of the term "telemedicine" to "telehealth". Specifies certain activities that are considered to be health care services for purposes of the telehealth laws. Expands the application of the telehealth statute to additional licensed practitioners instead of applying only to prescribers. Amends the definition of "prescriber" and "telehealth". Provides that a practitioner who directs an employee to perform a specified health service is held to the same standards of appropriate practice as those standards for health care services provided at an in-person setting. Requires that the telehealth medical records be created and maintained under the same standards of appropriate practice for medical records for patients in an in-person setting. Specifies that a patient waives confidentiality of medical information concerning individuals in the vicinity when the patient is using telehealth. Prohibits an employer from requiring a practitioner to provide a health care service through telehealth if the practitioner believes: (1) that health quality may be negatively impacted; or (2) the practitioner would be unable to provide the same standards of appropriate practice as those provided in an in-person setting. Provides that an applicable contract, employment agreement, or policy to provide telehealth services must explicitly provide that a practitioner may refuse at any time to provide health care services if in the practitioner's sole discretion the practitioner believes: (1) that health quality may be negatively impacted; or (2) the practitioner would be unable to provide the same standards of appropriate practice as those provided in an in-person setting. Amends requirements for a prescriber issuing a prescription to a patient via telehealth services. Requires that if a veterinarian is required to establish a veterinarian-client-patient relationship to perform a health care service, the veterinarian shall ensure that a veterinarian-client-patient relationship is established. Repeals the law concerning telepsychology. Prohibits certain insurance policies and individual and group contracts from mandating the use of certain technology applications in the provision of telehealth services.

DIGEST OF SB 5 (Updated April 21, 2021 6:48 pm - DI 106)

Local health departments; public health emergencies. Provides that if a local order addresses an aspect of a declared emergency addressed by an executive order, the local order may be less stringent than the executive order to the extent permitted by the executive order. Provides that if a local order addresses an aspect of a declared emergency that is not addressed by an executive order or if a local order addresses an aspect of a declared emergency more stringently than an

executive order, the local order may not take effect, or remain in effect, unless the local order is approved by the county legislative body (in the case of a county health department) or by an ordinance adopted by the city legislative body and approved by the mayor (in the case of a city health department). Provides that the appointment of a county health officer is subject to the approval of the county legislative body. Adds other good cause to the reasons for which a local health officer may be removed in counties other than Marion County. Specifies that a local health officer serves until a successor is appointed and qualified. Establishes an appeals process before legislative bodies of enforcement actions taken by local boards of health and local health officers in response to declared state and local public health emergencies.

DIGEST OF SB 6 (Updated March 16, 2021 1:55 pm - DI 133)

State house monument to suffragists. Extends the Indiana women's suffrage centennial commission (IWSCC) until July 1, 2024. Requires the IWSCC to commission the creation of a suitable monument to the people of Indiana active in the women's suffrage movement and the ratification of the Nineteenth Amendment to the Constitution of the United States. Requires the department of administration to install the monument commissioned by the IWSCC on the grounds of the state house before January 1, 2024.

DIGEST OF SB 7 (Updated March 16, 2021 2:01 pm - DI 133)

Forensic nurses. Specifies requirements that a registered nurse must meet in order to practice as a forensic nurse. Requires biennial continuing education for a forensic nurse. Provides that a forensic nurse who is practicing as a forensic nurse on June 30, 2021, is not required to meet the biennial forensic nursing education requirements until June 30, 2023.

DIGEST OF SB 8 (Updated March 23, 2021 2:44 pm - DI 133)

Traffic enforcement in residential complexes. Reenacts and extends the ability of a unit to enforce moving traffic ordinances on the property of a residential complex under certain circumstances. (This provision expired December 31, 2020.) Extends the requirement that the office of judicial administration submit reports to the legislative council relating to the enforcement of moving traffic ordinances on the property of residential complexes.

DIGEST OF SB 10 (Updated March 16, 2021 2:02 pm - DI 133)

Statewide maternal mortality review committee. Includes reporting to the statewide maternal mortality review committee (committee) for the release of mental health records without the consent of the patient. Requires the committee to review cases of maternal mortality involving the death of a woman occurring during pregnancy, through one year after the pregnancy. Requires a health care provider and a health facility to report deaths during pregnancy, through one year after a pregnancy to the committee for review. Requires the committee to review all cases of maternal death. Specifies that a health care provider includes a mental health

professional for purposes of the review of records by the committee. Requires the committee to: (1) determine whether an abortion was performed on the individual and whether the abortion contributed to the maternal mortality; (2) determine whether a miscarriage occurred and whether the miscarriage contributed to the maternal mortality; and (3) include the findings in the committee's annual report. Requires the statewide maternal mortality review coordinator to establish a process to report cases to the committee. Changes the expiration date of the statewide maternal mortality review committee to June 30, 2025.

DIGEST OF SB 17 (Updated March 30, 2021 3:41 pm - DI 140)

Campground matters. Allows a campground owner to ask an individual to leave a campground in certain instances. Specifies that an individual who remains on or returns to a campground after having been asked to leave the campground commits criminal trespass. Provides that a guest who is asked to leave a campground is entitled to a refund of any unused portion of prepaid fees.

DIGEST OF SB 20 (Updated March 25, 2021 12:44 pm - DI 133)

Regulation of micro market food sales. Specifies that "micro market display" includes a hot beverage brewer. Specifies that a "vending machine" includes a self-service device that can be activated by the use of a software application on a smartphone. Provides that a micro market can sell hot beverages. Provides that an owner or operator of a micro market shall not be required to: (1) submit any documentation; or (2) be subject to any pre-plan review, inspection process, or approval process by the state department, corporation, or local health department before the installation of a micro market. Provides that an owner or operator of a micro market must notify the corporation or local health department where the micro market is located no later than 10 business days after the installation of the micro market. Provides that an owner or operator of a micro market shall not be subject to any fee associated with providing notice to a corporation or local health department.

DIGEST OF SB 28 (Updated March 23, 2021 2:49 pm - DI 133)

Tax sales. Prohibits a person who is delinquent in the payment of personal property taxes or is subject to an existing personal property tax judgment from bidding on or purchasing a tract at a tax sale. Prohibits a business entity from bidding on or purchasing a tract at a tax sale when a person who is prohibited from bidding on or purchasing a tract at a tax sale: (1) formed the business entity; (2) joined with another person or party to form the business entity; (3) joined the business entity as a proprietor, incorporator, partner, shareholder, director, employee, or member; (4) becomes an agent, employee, or board member of the business entity; or (5) is not an attorney at law and represents the business entity in a legal matter. Requires a person to acknowledge that providing false information relating to a prohibited bid or purchase is perjury. Creates a new section of code with revised requirements for the forfeiture of a tax sale purchase by an ineligible bidder. Requires a county treasurer, except for in a county containing a consolidated city, to pay all taxes and assessments that accrue on the tract of real estate through the time the record owner

is divested of title from the tax sale surplus fund for the tract. Permits a county legislative body to adopt an ordinance prohibiting the assignment of a certificate of sale prior to the issuance of a tax title deed. Adds requirements that must be met within 150 days of the date a court grants a petition to issue a tax deed before a county auditor can issue or record a tax deed.

DIGEST OF SB 35 (Updated March 23, 2021 2:49 pm - DI 133)

Statutes applicable to Lake and St. Joseph counties. Adds references to Lake County and St. Joseph County that were removed in P.L.278-2019. Specifies provisions for St. Joseph County with regard to division of the county into districts. Makes conforming amendments.

DIGEST OF SB 53 (Updated March 15, 2021 1:55 pm - DI 133)

Testing and reporting of diseased animals. Provides that a veterinarian, owner, caretaker, or custodian of an animal who knows or suspects that an animal has a disease or condition declared reportable by the state board of animal health (board) must report the existence of the disease or condition to the state veterinarian or local health officer not later than 24 hours after discovering the occurrence or suspected occurrence of the disease or condition. (Currently, they have 48 hours to report a disease.) Provides that a laboratory or animal health professional shall report: (1) the type of test performed; and (2) positive diagnoses for certain diseases; not later than 24 hours after a test renders a positive diagnosis. Authorizes the board to adopt rules it considers necessary to carry out the reporting of diseases and conditions. Provides that the board may issue notice by electronic mail.

DIGEST OF SB 55 (Updated April 21, 2021 8:05 pm - DI 125)

School referenda. Provides that an examination of the accounts and financial affairs of a school corporation must include an examination of any revenue spending plan and applicable fund for an operating referendum tax levy or school safety referendum tax levy to determine whether the school corporation is using the revenue collected from the levy in the amounts and for the purposes established in the applicable revenue spending plan. Provides that a contract entered into between the governing body of a school corporation and a school administrator may not provide for the awarding of a monetary bonus or other incentive that is based on the approval of a public question concerning the imposition of a property tax levy. Specifies requirements for a school corporation that adopts a revenue spending plan for a proposed referendum tax levy. Provides that a school corporation shall specify in its proposed budget the school corporation's revenue spending plan and present the revenue spending plan at its public hearing on the proposed budget. Provides that an ordinance or resolution making a preliminary determination to issue bonds or enter into leases that is considered for certain controlled projects must include a statement of: (1) the maximum annual debt service for the controlled project for each year in which the debt service will be paid; and (2) the schedule of the estimated annual tax levy and rate over a 10 year period; factoring in changes that will occur to the debt service levy and tax rate during the period on account of any outstanding bonds or lease obligations that will mature or

terminate during the period. Provides that a governing body may not increase the debt service fund levy to pay for the interest on warrants unless the warrants have been authorized by the governing body in a resolution adopted at a public meeting in the year immediately preceding the year in which the warrants will be issued. Requires a school corporation that imposes certain property taxes to provide information to the department of local government finance before a public hearing held for the purpose of determining the school corporation's budget.

DIGEST OF SB 59 (Updated March 29, 2021 3:39 pm - DI 140)

Occupational therapy services. Allows an occupational therapist to provide occupational therapy services to an individual during a period of not more than 42 calendar days beginning on the day on which the occupational therapist first provides occupational therapy services to the individual. Allows an occupational therapist to provide occupational therapy services to an individual after the 42 day period only if the occupational therapist obtains a referral from, or acts on the order of, a physician, podiatrist, advanced practice registered nurse, psychologist, chiropractor, optometrist, or physician's assistant. Allows an occupational therapist, without a referral or order from a health care provider, to provide: (1) ergonomic or home assessment services; (2) injury or illness prevention education and wellness services; (3) occupational therapy activities provided in an educational setting; or (4) occupational therapy activities that the medical licensing board of Indiana determines to be appropriate to be conducted in a community based environment.

DIGEST OF SB 63 (Updated March 16, 2021 2:03 pm - DI 133)

Mental health treatment for inmates. Permits, under certain circumstances, an offender committed to the department of correction to be held within a treatment facility operated by the department for not more than 14 days beyond the offender's mandatory release date if: (1) the offender consents; or (2) a court has ordered the offender to be committed to a treatment setting outside the department.

DIGEST OF SB 68 (Updated March 29, 2021 3:39 pm - DI 140)

Conservancy district board meetings. Amends the open door law to allow members of a conservancy district board of directors to attend meetings electronically.

DIGEST OF SB 77 (Updated March 15, 2021 1:57 pm - DI 133)

Peer support services and CISM services. Provides, with certain exceptions, that written or oral communications concerning the provision of peer support services and critical incident stress management services (CISM services) to a first responder are confidential and may not be disclosed without the first responder's consent. (Current law provides that communications concerning CISM services to an emergency responder are confidential.) Provides that a first responder's communication is not confidential and may be disclosed: (1) to prevent the first responder from committing a crime or fraud that the provider of CISM services or peer support

services reasonably believes is likely to result in death, substantial bodily harm, or substantial economic injury to another; (2) if it conveys information regarding spousal abuse; (3) if the provider of CISM services or the peer support services was a witness or a party to the incident resulting in the provision of services to the first responder; or (4) if the first responder consents to disclosure. Provides that a person providing peer support services is not liable for damages for an act, error, or omission committed by the person in performing peer support services unless the act, error, or omission constitutes wanton, willful, or intentional misconduct.

DIGEST OF SB 79 (Updated March 23, 2021 2:54 pm - DI 133)

Protection orders and domestic battery. Provides that if a petition for an order for protection is filed by a person or on behalf of an unemancipated minor, the court shall determine, after reviewing the petition or making an inquiry, whether issuing the order for protection may impact a school corporation's ability to provide in-person instruction for the person or the unemancipated minor. Creates a procedure that requires a school corporation to receive notice if the court determines that issuing the order for protection may impact the school corporation's ability to provide in-person instruction for the person or the unemancipated minor. Enhances the penalty for domestic battery to a Level 6 felony if the offense is committed against a family or household member: (1) who has been issued a protection order that protects the family or household member from the person and the protection order was in effect at the time the person committed the offense; or (2) while a no contact order issued by the court directing the person to refrain from having any direct or indirect contact with the family or household member was in effect at the time the person committed the offense. Enhances the penalty for domestic battery to a Level 5 felony when the offender has a prior conviction for strangulation against the same family or household member.

DIGEST OF SB 80 (Updated April 22, 2021 12:42 pm - DI 92)

Code publication bill. Makes Indiana Code publication amendments. Resolves technical conflicts between various enrolled acts passed during the 2021 legislative session. Corrects technical errors in various enrolled acts passed during the 2021 legislative session. (The introduced version of this bill was prepared by the code revision commission.)

DIGEST OF SB 81 (Updated March 15, 2021 2:00 pm - DI 133)

Training for investigators of sexual assault cases. Requires certain training for sexual assault investigators. Mandates that the law enforcement training board set specialized standards for training and investigating sexual assault cases involving adult victims.

DIGEST OF SB 82 (Updated April 21, 2021 5:16 pm - DI 104)

Mental health diagnosis. Defines "mental health diagnosis" and sets forth requirements that must be met in order for certain licensed professionals to provide a mental health diagnosis. Requires

certain mental health professionals who are making a mental health diagnosis and who determine that the patient may have a physical condition that requires medical attention or has not been examined by a physician, an advanced practice registered nurse, or a physician assistant in the preceding 12 months to: (1) advise the patient to schedule, and offer to assist the patient with scheduling, a physical examination for the patient; (2) provide the patient with a list of practitioners and certain information concerning the practitioners; and (3) coordinate patient care with the practitioner as appropriate. Requires documentation of the actions of the licensed professional in the patient's medical record.

DIGEST OF SB 91 (Updated March 22, 2021 2:56 pm - DI 133)

Hyperbaric oxygen treatment pilot program. Extends the expiration date of the hyperbaric oxygen treatment pilot program for veterans from June 30, 2021, to June 30, 2025. Provides that certain: (1) billing documentation; or (2) attendance documentation; may be used to authenticate the receipt of hyperbaric oxygen treatments for the purpose of payment approval by the department of veterans' affairs. Removes a provision that requires the state department of health to request proposals concerning hyperbaric oxygen treatment from certain geographic areas of Indiana. Specifies that a certain appropriation does not revert to the state general fund until July 1, 2025.

DIGEST OF SB 93 (Updated March 23, 2021 3:02 pm - DI 133)

Tuition for qualified nonresident veterans. Provides that a qualified nonresident veteran who enrolls in a state educational institution not later than three years after the date of the qualified nonresident veteran's discharge or separation from the armed forces of the United States or the Indiana National Guard is eligible to pay the resident tuition rate at a state educational institution. Establishes requirements for eligibility.

DIGEST OF SB 94 (Updated April 5, 2021 5:58 pm - DI 133)

Pension matters. Provides that the Indiana public retirement system (INPRS) shall pay the governors' retirement and surviving spouse pensions from the public employees' retirement fund (PERF). (Current law makes the auditor of state responsible for the payments.) Modifies provisions related to the pension entitlement for the surviving spouse of a governor. Changes the definition of "retired participant" in the retirement medical benefits account statute. Eliminates the requirement that INPRS shall make an actuarial valuation of the assets and liabilities of the retiree health benefit trust fund at least every two years and instead requires INPRS each year to report the assets and liabilities of the retiree health benefit trust fund and make recommendations for employer contribution amounts. Provides that if an individual becomes a participant in the public employees' defined contribution plan with respect to the individual's service as a volunteer firefighter, the individual does not earn creditable service in the fund for service with a volunteer fire department. Provides that interest shall be credited to the account of each participant in the prosecuting attorneys' retirement fund at least annually. Specifies the repayment conditions that apply if a participant of the judges' retirement system or a fund member of the 1977 police

officers' and firefighters' pension and disability fund withdraws from the respective fund and again becomes a participant or member of the respective fund at a later date. For purposes of the PERF and state teachers' retirement fund: (1) adds survivors and beneficiaries to provisions related to recouping, stopping, or terminating benefits; (2) provides that if an overpayment occurs, the board may not require a member, survivor, or beneficiary to pay more than 25% of their monthly benefit toward the overpayment; and (3) provides that if an overpayment began before July 1, 2015 and was caused by no fault of the member, survivor, or beneficiary, the board may only require a member, survivor, or beneficiary to pay the amount of the overpayment of benefits received during the six years before the date INPRS discovers the overpayment and attempts to provide notice of the overpayment. Provides that the budget agency may transfer appropriations from federal or dedicated funds to the retiree health benefit trust fund. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.)

DIGEST OF SB 97 (Updated March 30, 2021 3:48 pm - DI 140)

Popcorn grown in Indiana. Designates popcorn grown in Indiana as the official state snack of Indiana.

DIGEST OF SB 98 (Updated March 30, 2021 3:56 pm - DI 140)

Interstate compact transportation fund. Allows a community corrections agency to access funds from the county offender transportation fund to defray the cost of transporting offenders and delinquent children as requested by a court, a probation department, a community corrections agency, or a county sheriff.

DIGEST OF SB 101 (Updated March 16, 2021 2:09 pm - DI 133)

Education and higher education matters. Amends requirements regarding the development of a student's graduation plan. Provides that a student who is at least 17 years of age has full legal capacity to enter into a contract for a next generation Hoosier educators scholarship. Provides that the requirement that a postsecondary credit bearing proprietary educational institution that ceases operation submit student records to the Indiana archives and records administration applies regardless of any outstanding debts owed to the institution. Repeals a provision that requires a student to develop an initial graduation plan in grade 6.

DIGEST OF SB 122 (Updated March 16, 2021 2:09 pm - DI 133)

Drug schedules. Adds new scheduled drugs to the statutory drug schedules.

DIGEST OF SB 133 (Updated April 8, 2021 2:29 pm - DI 133)

Sentencing. Provides that a court may suspend only that part of a sentence that is in excess of the minimum sentence for a person convicted of a Level 2 or Level 3 felony who has a prior unrelated felony conviction, other than a conviction for a felony involving marijuana, hashish, hash oil, or salvia divinorum. (Current law provides that a court may suspend any part of a sentence for certain Level 2 and Level 3 felony convictions, including drug related convictions.)

DIGEST OF SB 137 (Updated March 9, 2021 2:21 pm - DI 133)

Kids first trust fund board. Allows the Indiana kids first trust fund board (board) to create a nonprofit subsidiary corporation to solicit and accept private funding, gifts, donations, bequests, devises, and contributions. Provides that the members of the board serve terms of four years (rather than two years under current law) and provides for the terms of the appointed members of the board to be staggered. Provides that a majority of the appointed members of the board constitutes a quorum for purposes of board meetings. Provides that an affirmative vote of the majority of the board members participating in a board meeting is required for the board to take action at the meeting. Provides that: (1) the board; and (2) the board of directors of a subsidiary corporation formed by the board; must post meeting minutes to the Internet not later than 10 days after the minutes are approved. Requires the board to study the topic of establishing a nonprofit subsidiary corporation and provide a report to the general assembly with the board's findings.

DIGEST OF SB 144 (Updated April 5, 2021 6:28 pm - DI 133)

Alcohol matters. Provides that the bulk wine purchasing limits for farm wineries apply only to wine sold directly to a consumer in Indiana, and that no limit is imposed on the amount of bulk wine that may be used in producing wine sold through a wholesaler or sold outside of Indiana. Allows the holder of an artisan distiller permit to also hold a distiller's permit. Provides that a holder of an artisan distiller's permit that also holds an interest in a distiller's permit may manufacture and bottle liquor on the same equipment on the premises of the artisan distillery. Requires a permit holder to store liquor manufactured or bottled under an artisan distiller's permit in an area separate and distinct at all times from the liquor manufactured under a distiller's permit. Also requires that the manufacture, bottling, and storage of liquor under certain provisions must conform with federal laws, rules, and regulations.

DIGEST OF SB 152 (Updated March 23, 2021 3:12 pm - DI 133)

Delaware circuit courts. Removes the sixth circuit court in Delaware County.

DIGEST OF SB 164 (Updated March 22, 2021 2:56 pm - DI 133)

St. Joseph County innkeeper's tax. Provides that the innkeeper's tax board of managers (board of managers) shall support and assist the Potawatomi Zoo to secure bonds up to a term of 20 years

to pay costs associated with financing projects for the Potawatomi Zoo. Authorizes the county fiscal body to adopt an ordinance to increase the tax rate to not more than 8% on a person renting or furnishing lodging accommodations in St. Joseph County. (Under current law, the tax rate is 6%.) Provides that if the county fiscal body adopts an ordinance to increase the tax rate, the county fiscal body must specify the effective date that the ordinance takes effect and immediately send a certified copy of the ordinance to the commissioner of the department of state revenue. Creates the Morris Performing Arts Center fund, which shall be administered by the board of managers. Creates the tourism capital investment fund, which shall be administered by the board of managers. Establishes an application process to award investment money to projects that have a substantial likelihood of increasing overnight guests in the hotel motel industry of St. Joseph County. Specifies the amount of tax revenue that the county treasurer shall deposit in the: (1) convention and exhibition center fund; (2) Mishawaka indoor sports complex fund; (3) Potawatomi Zoo fund; (4) Morris Performing Arts Center fund; and (5) tourism capital investment fund.

DIGEST OF SB 167 (Updated March 16, 2021 2:18 pm - DI 133)

Theft and sale of catalytic converters and valuable metals. Provides that the theft of a component part of a motor vehicle, including a catalytic converter, is a Level 6 felony. Expands qualifying prior convictions for Level 6 felony theft to include robbery and burglary. Provides that a valuable metal dealer who: (1) knowingly or intentionally fails to comply with certain statutes regulating the purchase of a valuable metal; and (2) purchases a stolen valuable metal; commits a Level 6 felony.

DIGEST OF SB 169 (Updated March 29, 2021 3:39 pm - DI 140)

Housing with services establishment disclosures. Requires housing with services establishments to make certain disclosures concerning Alzheimer's and dementia special care and file the disclosure with the division of aging. Requires the division of aging to publish the disclosures.

DIGEST OF SB 175 (Updated April 20, 2021 1:57 pm - DI 87)

Agreements between beer wholesalers and suppliers. Requires a primary source of supply (primary source) that wants to amend, cancel, terminate, or refuse to renew a distribution agreement entered into with a beer wholesaler to: (1) act in good faith, with good cause, and with due regard for the equities of the beer wholesaler; and (2) provide written notice. Provides that a primary source has a right to amend, cancel, terminate, or refuse to renew distribution agreements with all beer wholesalers that have entered into the same distribution agreement with the primary source and are located in the United States. Prohibits a primary source or beer wholesaler from waiving any provisions of the law regarding distribution agreements.

DIGEST OF SB 177 (Updated April 6, 2021 5:32 pm - DI 133)

Victim's rights and investigations. Establishes a procedure permitting an immediate family member of a deceased individual to request the superintendent of the state police department to conduct a new investigation into the death of the individual if: (1) a local law enforcement agency has determined that the death was not the result of a criminal act by a third party; (2) the individual was not under the care of a physician or the victim of medical malpractice; and (3) the family member has a reasonable suspicion that the death was the result of a criminal act by a third party.

DIGEST OF SB 183 (Updated March 16, 2021 2:20 pm - DI 133)

Native American Indian affairs commission. Changes the membership requirements for members of the Native American Indian affairs commission as follows: (1) Specifies that eight, rather than six, members must be Native American Indians from different geographic regions of Indiana. (2) Adds two nonvoting members appointed by the minority leaders of the senate and house of representatives. (3) Removes the requirement that two members must be Native American Indians who have knowledge in Native American traditions and spiritual issues. (4) Replaces the commissioner of the commission for higher education or the commissioner's designee as an ex officio member with the director of the department of child services or the director's designee. (5) Provides that not more than two members of the commission may represent the same tribe or organization. (Current law limits a particular tribe or organization to one member.)

DIGEST OF SB 185 (Updated April 21, 2021 12:50 pm - DI 77)

Home based vendors. Requires that the state department of health, state board of animal health, and state department of agriculture shall, in consultation with industry groups and food safety experts, submit recommendations concerning home based vendors to the general assembly.

DIGEST OF SB 187 (Updated April 6, 2021 5:32 pm - DI 133)

Protection of monuments, memorials, and statues. Requires the state police department to prioritize the investigation and prosecution of persons who destroy, damage, vandalize, or desecrate a monument, memorial, or statue. Requires the state police department to assist political subdivisions in the investigation and prosecution of persons who destroy, damage, vandalize, or desecrate a monument, memorial, or statue. Provides that discretionary funding for a political subdivision may not be withheld from a political subdivision in certain circumstances. Provides that a state agency may provide discretionary funding to a political subdivision for a respective grant program after considering whether the political subdivision has taken all appropriate enforcement actions to protect public monuments, memorials, and statues from destruction or vandalism. Defines "discretionary funding". Adds enhanced penalties to the crime of rioting.

DIGEST OF SB 188 (Updated April 21, 2021 2:13 pm - DI 137)

Revised Uniform Unclaimed Property Act. Repeals the unclaimed property act and replaces it with the revised unclaimed property act. Makes conforming amendments.

DIGEST OF SB 195 (Updated March 16, 2021 2:39 pm - DI 133)

Proof of mailing date. Provides that payment mailed to the county treasurer with metered postage is timely received if: (1) the envelope is properly addressed to the principal office of the county treasurer; (2) the envelope has sufficient metered postage from a meter postage provider approved by the United States Postal Service; (3) the metered postage is affixed to the envelope and bears the actual date of when it was affixed and that date is on or before the due date; and (4) the envelope is received by the county treasurer not later than five business days after the due date. Provides that a taxpayer is subject to a penalty of 5% of the amount of delinquent taxes if a payment to the county treasurer is: (1) mailed or deposited with a parcel carrier by the thirtieth day after the due date (the initial penalty period) and the postmark, certificate of delivery, or other evidence indicates the date of the mailing or deposit; or (2) mailed and affixed with a metered postage stamp indicating a date not later than the thirtieth day after the due date and the payment is received by the county treasurer not later than five business days after the thirtieth day after the due date. Provides that if a payment is mailed and received not later than 30 days after the due date without a legible post mark, the person is considered to have made the payment by the thirtieth day after the due date, if the person can show by reasonable evidence that the payment was timely mailed. Provides that if a payment is mailed or sent by parcel carrier but not received by the thirtieth day after the due date, the person is considered to have made the payment by the thirtieth day after the due date, if the person can show by reasonable evidence that the payment was timely mailed and makes a duplicate payment within 30 days after the person is notified that the payment was not received.

DIGEST OF SB 196 (Updated March 23, 2021 3:12 pm - DI 133)

Education matters. Requires the state board of education (state board) to adopt administrative rules to allow an organization to provide credit under a Core 40 curriculum model for alternative programs in which students obtain credit counting toward the student's graduation requirements from nonschool educational experience that applies or incorporates content area knowledge in lieu of a required or elective course in the Core 40 curriculum model.

DIGEST OF SB 201 (Updated March 23, 2021 3:20 pm - DI 133)

Operating while intoxicated. Provides a defense to prosecution for a person who operates a vehicle with marijuana or its metabolite in the person's blood under certain conditions.

DIGEST OF SB 202 (Updated April 8, 2021 2:30 pm - DI 133)

Hospital and health facility visitation. Allows a person admitted as a patient to a hospital or ambulatory outpatient surgical center (facility) to receive visitation by specified individuals during a declared emergency or public health emergency. Requires visitors to comply with applicable disease control or prevention guidelines issued by the Centers for Medicare and Medicaid Services or the Centers for Disease Control and Prevention when visiting a patient. Requires a facility to permit the visitation of a person admitted as a patient in a facility during specified compassionate care scenarios. Allows a facility to limit visitation in certain instances. Provides certain civil immunity for a facility, its employees, and contractors for an injury or harm caused by or resulting from: (1) the exposure of a contagious disease or other harmful agent that is specified during a disaster emergency; or (2) acts or omissions by visitors who are present in the facility; as a result of the implementation of the required protocols. Requires health facilities and residential care facilities (health facilities) to allow visitation of a resident in a compassionate care situation. Requires the state department of health to adopt standards and guidelines concerning the essential family caregiver program during a declared emergency or public health emergency and requires facilities to participate in the program. Allows for the designation of an essential family caregiver for a resident of a health facility and allows for visitation during restricted visitation at the health facility. Specifies requirements for an individual to be designated as an essential family caregiver and allows for the reconsideration and reporting of a denial of a request for designation. Allows the state department of health to adopt certain rules concerning the program. Provides certain civil immunity for a health facility, its employees, and contractors for an injury or harm caused by or resulting from: (1) the exposure of a contagious disease or other harmful agent that is specified during a disaster emergency; or (2) acts or omissions by visitors who are present in the health facility; as a result of the implementation of the required protocols.

DIGEST OF SB 204 (Updated March 30, 2021 4:02 pm - DI 140)

Health care advance directives. Allows an individual to make a health care advance directive that gives instructions or expresses preferences or desires concerning any aspect of the individual's health care or health information and to designate a health care representative to make health care decisions and receive health information for the individual. Consolidates definitions of "life prolonging procedures". Requires the state department of health to prepare a sample advance directive. Provides that the appointment of a representative or attorney in fact to consent to health care that was legally executed before January 1, 2023, is valid as executed. Adds definitions of "notarial officer", "observe", "present", and "telephonic interaction" to allow a mentally competent declarant to sign an advance directive by using technology to interact in real time with a notarial officer or with two attesting witnesses. Specifies certain prerequisites when witnessing specified directives through telephonic interaction. Provides for remote witnessing or signing of separate paper counterparts that are assembled later into a complete composite paper advance directive. Provides that the new health care directive provisions do not affect the consent provisions concerning abortion or a minor's medical or hospital care and treatment with respect

to the minor's pregnancy, delivery, or postpartum care. Provides that an attending advanced practice registered nurse or physician assistant may perform the same functions and have the same responsibilities as an attending physician for purposes of an out of hospital do not resuscitate declaration. Adds cross references. Defines certain terms. Makes conforming changes. Makes technical changes.

DIGEST OF SB 205 (Updated April 13, 2021 4:02 pm - DI 133)

Teacher training. Requires the department of education (department) to provide an initial practitioner license to an individual that competes an alternative teacher certification program. Requires the individual to complete a one year clinical experience program. Provides that the individual may not teach a special education course or be a teacher of record for a special education student. Provides that a school corporation, charter school, or state accredited nonpublic school shall submit a plan to the department if the school corporation, charter school, or state accredited nonpublic school hires one or more individuals who have received an initial practitioner license. Requires a teacher preparation program to include curriculum that instructs teachers about social emotional learning practices that are helpful in supporting students who have experienced trauma. Mandates that a teacher preparation program consider training teachers on evidence based social emotional learning practices that are consistent with the state's social emotional learning competencies established by the department of education. Makes conforming changes.

DIGEST OF SB 214 (Updated March 23, 2021 3:21 pm - DI 133)

Low income housing. Reinstates provisions that were repealed in the 2016 session in Senate Bill 309 regarding eligibility for the property tax exemption for improvements on real property that are constructed, rehabilitated, or acquired for the purpose of providing low income housing. Provides that payments in lieu of taxes (PILOTS) may be required from a property owner claiming such an exemption.

DIGEST OF SB 218 (Updated March 29, 2021 3:40 pm - DI 140)

Township homeless assistance. Establishes the low barrier homeless shelter task force. Beginning July 1, 2022: (1) allows a township trustee to place a homeless individual temporarily in a county home or provide temporary township assistance; and (2) requires the township trustees within a county to collaborate and prepare a list of public and private resources available to the homeless population that is distributed and published on the county's Internet web site, if the county has a web site, not later than March 1 of each year. Provides that a person commits the offense of criminal trespass if: (1) the person, who does not have a contractual interest in the property, knowingly or intentionally enters or refuses to leave the property of another person after having been prohibited from entering or asked to leave the property by a law enforcement officer when the property is designated by a municipality or county enforcement authority to be an unsafe building or premises; or (2) the person knowingly or intentionally enters the property of another

person after being denied entry by a court order that has been issued to the person or issued to the general public by conspicuous posting on or around the premises in areas where a person can observe the order when the property has been designated by a municipality or county enforcement authority to be an unsafe building or premises; unless the person has the written permission of the owner, the owner's agent, an enforcement authority, or a court to come onto the property for purposes of performing maintenance, repair, or demolition. Provides that an individual who harasses another person with the intent to obtain property from the other person commits aggressive harassment, a Class C misdemeanor. Defines "harasses". Repeals the chapter concerning panhandling.

DIGEST OF SB 227 (Updated March 15, 2021 2:09 pm - DI 133)

Enforcement of pesticide violations. Provides a list of violations for which the state chemist may impose a civil penalty. Eliminates the schedule of civil penalties as adopted by the Indiana pesticide review board. (Under current law, the state chemist imposes a civil penalty in accordance with a schedule of civil penalties as adopted by the Indiana pesticide review board.) Provides that the state chemist may adjust a civil penalty by 20% for certain violations if a person responsible for the violation takes mitigating actions.

DIGEST OF SB 232 (Updated April 20, 2021 4:15 pm - DI 144)

Exposure risk diseases. Adds any variant of severe acute respiratory syndrome (SARS), including coronavirus disease (COVID-19), to the list of diseases considered an exposure risk disease for purposes of emergency and public safety employee death and disability presumed in the line of duty. Provides, for any employee who is diagnosed after June 30, 2021, with a health condition caused by any variant of SARS, including COVID-19, that if the health condition results in disability or death and the employee wishes to have a presumption of disability or death incurred in the line of duty apply to the employee, the employee shall, by written affidavit executed before death, provide verification that the employee has not, outside the scope of the employee's current employment, been exposed to another individual known to have any variant of SARS, including COVID-19. Makes technical corrections.

DIGEST OF SB 234 (Updated March 30, 2021 4:09 pm - DI 140)

Withholding tax remittance. Requires the department of state revenue (department) to provide written notice, by electronic means, to each employer that is registered in the department's online INTIME program and whose employer's Form WH-1 monthly withholding tax report or withholding tax remittance is past due. Requires each payroll service provider to annually register with the department beginning January 1, 2022. Specifies the contents of the annual registration form. Defines "payroll service provider" and "responsible person" for purposes of these provisions. Provides that the department may charge an annual payroll service provider registration fee for purposes of the registration program. Provides that a provider shall be permitted to retain any income generated on business client (client) funds while held in a

provider's legal possession pending remittance to authorized payees if the client agreement expressly permits it and the provider complies with certain rules. Provides that a payroll service provider contract must include a provision that specifies that if the payroll service provider fails to deposit or remit a business client's employer withholding taxes when due, and the failure is caused by an error or omission of the payroll service provider and not by the business client, the payroll service provider shall be required to reimburse the business client for the business client's payment of any penalties or interest assessed by the department as a result of the failure. Provides that, if a provider knowingly or intentionally fails to remit taxes withheld, the provider is liable and responsible persons shall be personally liable for such taxes that were withheld and not remitted, along with penalties and interest. Provides that a responsible person of the provider who knowingly or intentionally fails to remit taxes that were withheld commits a Class A misdemeanor, and increases the penalty depending on the amount of taxes that were not remitted. Provides that the liability shall not be construed to relieve the liability of the employer or any person otherwise with a duty to withhold. Provides that the employer's address shall be the address of record with the department for withholding tax purposes and that a payroll service provider may not change the address of record with the department.

DIGEST OF SB 239 (Updated April 8, 2021 2:32 pm - DI 133)

Remote provision of child and family services. Requires the department of child services (department) to establish before October 1, 2021, policies and procedures to allow for child and family services to be provided remotely. Specifies factors that a child and family services provider and the department may consider in making a determination as to whether remote provision of services is appropriate for a child. Provides that a child and family services provider's first meeting with a family, or with a child who lives with the child's family, must be conducted in person unless a declared health emergency makes an in person meeting unsafe. Provides that after a child and family services provider's first meeting with a family or with a child who lives with the child's family, or for purposes of providing services to a child who does not live with the child's family, the provider has the discretion to provide services to the family or child remotely for up to 14 days after the initial request for consultation if providing services remotely is in the best interest of the child and family, unless: (1) a decision is reached on the use of remote services at a child and family team meeting less than 14 days after the request for consultation; or (2) the department communicates to the provider a preliminary determination as to the role of remote services pending the child and family team meeting.

DIGEST OF SB 240 (Updated March 30, 2021 4:17 pm - DI 140)

Female genital mutilation. Requires the office of women's health to perform certain actions relating to female genital mutilation. Provides that a child is a child in need of services if before the child becomes 18 years of age the child is a victim of female genital mutilation. Provides that a person who: (1) knowingly or intentionally performs the act of female genital mutilation on a child who is less than 18 years of age; (2) is a parent, guardian, or custodian of a child and consents to, permits, or facilitates the act of female genital mutilation to be performed on the

child; or (3) knowingly transports or facilitates the transportation of a child for the purpose of having the act of female genital mutilation performed on the child; commits the offense of female genital mutilation, a Level 3 felony. Provides a defense to prosecution of female genital mutilation. Provides certain circumstances where a defense to prosecution of female genital mutilation does not apply. Defines "female genital mutilation". Provides that the license of a physician or a licensed health care professional shall be permanently revoked if the physician or licensed health care professional commits the offense of female genital mutilation. Provides that a person who has reason to believe that a child may be a victim of female genital mutilation has a duty to report the child abuse or neglect. Provides that an action for civil female genital mutilation must be commenced not later than 10 years after the eighteenth birthday of the child. Provides that a victim may seek certain remedies in an action against the defendant for civil female genital mutilation.

DIGEST OF SB 242 (Updated March 16, 2021 2:39 pm - DI 133)

Patient lift services. Provides that attendant care services include the use of lift equipment. Requires a personal services agency that provides lift services to have liability insurance. Provides that a client who receives attendant care services may decline assistance with any component of the attendant care services. Specifies that a client is not required to use lift equipment when lift services are provided. Requires a personal services agency that offers lift services to train each employee who provides those services. Specifies that lift services are subject to the same evaluation and training requirements as other attendant care service tasks.

DIGEST OF SB 245 (Updated April 21, 2021 5:27 pm - DI 107)

Gaming matters. Provides that net proceeds from an allowable activity and related activities may be used only for the lawful purposes of the qualified organization, including the: (1) repair; (2) maintenance; or (3) improvement; of owned real property used for the lawful purposes of the qualified organization. Increases the single prize limit for a progressive or carryover pull tab game in charity gaming to \$15,000. Also increases the total prize limit for one pull tab, punchboard, or tip board game in charity gaming to \$15,000. Provides that a qualified organization must abide by the rules and regulations of the Internal Revenue Service regarding reporting and withholding rules for charitable prizes paid. Provides that for a raffle drawing, a retailer may not retain more than 20% of the proceeds, a retailer must establish and publish house rules, and the maximum amount of prizes in a raffle game is limited to \$30,000. Provides that the total prizes for one type II gambling game, except for a raffle game, may not exceed \$10,000. Provides that a single prize award for a winning ticket on a seal card game may not exceed \$1,000. Provides that a single prize on a progressive or carryover pull tab game in a type II gambling game may not exceed \$5,000. Provides that a type II gambling game includes raffles, progressive or carryover pull tab games, and sports-themed tip board and pull tab games. Specifies the end date for a licensed entity's accounting period. Replaces "annual casino night license" with "annual activity license". Specifies that the Indiana gaming commission (commission) may issue to a qualified organization an annual activity license to conduct a gambling activity approved by the commission, if certain

requirements are met. Modifies restrictions applicable to a festival license. Modifies the restrictions applicable to a worker at a raffle conducted by a qualified organization. Removes a provision that allows the commission to authorize two bingo events each year at which the total prizes may not exceed \$10,000. Provides that the commission may authorize a qualified organization to conduct a bingo event at which the total prizes exceed \$6,000, and specifies that such a bingo event may be conducted at a festival. Provides that a person less than 18 years of age may sell tickets or chances for a raffle. Modifies a provision relating to the license fee for a three year charity gaming license issued to a qualified organization that is a bona fide veterans organization. Makes technical corrections and conforming amendments.

DIGEST OF SB 251 (Updated April 6, 2021 5:33 pm - DI 133)

Deduction of dues to exclusive representative. Provides that a school employee has the right to resign from, and end any financial obligation to, a school employee organization at any time. Provides that a school employee must annually authorize a pay deduction to a school employee organization. Provides that the attorney general, in consultation with the Indiana education employment relations board (board) shall prescribe an authorization for withholding form for use by a school employee to deduct dues from the pay of the school employee to the school employee organization. Adds certain requirements for information to be included on the form. Provides that after receiving the authorization for withholding form, the employer shall confirm the authorization by sending an electronic mail message to the school employee at the employee's school provided work electronic mail address and shall wait for confirmation of the authorization before starting any deduction. Specifies the time frame for (1) ceasing withholding upon receipt of a request, and (2) providing notice to the school employee organization. Provides that a school employer shall annually provide, at a time it prescribes, written or electronic mail notification to its school employees of their right to cease payment of school employee organization dues and to withdraw from that organization. Specifies what the notification must include. Provides that the attorney general, in consultation with the board and the department of education, must annually provide notice to school employers of certain provisions.

DIGEST OF SB 255 (Updated March 30, 2021 4:19 pm - DI 140)

Expungement. Specifies that a "criminal history provider" includes certain persons who regularly publish criminal history information on the Internet, for purposes of the law requiring criminal history providers to periodically review their criminal history records for expunged convictions.

DIGEST OF SB 259 (Updated April 12, 2021 8:48 pm - DI 133)

Parents with disabilities. Specifies that it is the policy of the state to recognize the parenting rights of a parent regardless of whether the parent has a disability. Provides that the right of a person with a disability to parent the person's child may not be denied or restricted solely because the person has a disability. Provides that: (1) a court, in: (A) considering the appointment of a person as a guardian; (B) hearing an action to modify custody or an action to determine or modify

parenting time; or (C) determining whether to grant a petition for adoption; and (2) the department of child services, in determining whether to grant a person a license to operate a foster family home; may not discriminate against, and shall take into consideration the provision of reasonable accommodations to, a person with a disability.

DIGEST OF SB 260 (Updated March 23, 2021 3:49 pm - DI 133)

Circuit court clerk matters. Allows a person who is 16 or 17 years of age to serve as a precinct election officer without the written approval of the school principal if school is not in session on election day. Provides that such individuals may: (1) serve as certain election officers, both before and on election day; (2) provide assistance to election officers and in the preparation of absentee ballots; and (3) be appointed to fill a vacancy that occurs on a precinct election board. Provides that a precinct may be established with fewer than 600 active voters if establishing the precinct would avoid establishing a split precinct. Permits a county to submit a proposed precinct boundary change to the election division for review using a module of the statewide voter registration system ("the computerized list") while retaining the option under current law to submit this change by paper. Provides a method for a county to correct any errors or discrepancies in the boundary lines of precincts as depicted in information provided by the U.S. Bureau of the Census in conjunction with state redistricting. Repeals an obsolete statute relating to establishing precincts. Provides that a school that is used as a polling place may on election day: (1) conduct a virtual instruction day for students who attend school in the school building; or (2) conduct in-person instruction to students who attend school in the school building if certain conditions are met. Establishes a procedure for casting a voter's ballot at an early voting site by election workers if the voter does not complete the procedures for casting the voter's ballot. Provides that absentee ballots may be scanned, but not tabulated, not earlier than seven days before election day. Sets forth requirements for processing absentee ballots before election day. Requires retraction of a previously scanned absentee ballot card of a voter who is later found disqualified or whose ballot may not be counted for other statutory reasons. Eliminates the requirement that the alcohol and tobacco commission distributes a registry of permits to the circuit court clerks. Eliminates the requirement that notice of certain alcohol and tobacco commission hearings be given to the circuit court clerk.

DIGEST OF SB 263 (Updated April 6, 2021 5:33 pm - DI 133)

Religious activities as essential services. Prohibits the state and a political subdivision from imposing restrictions on a religious organization that are more restrictive than the restrictions imposed upon other businesses and organizations that provide essential services to the public. Permits the state or a political subdivision to require a religious organization to comply with a neutral and generally applicable health, safety, or occupancy requirement to the same extent as other organizations, if the requirement is otherwise allowable under Indiana's religious freedom law. Provides that the state, a political subdivision, or an officer or employee of the state or a political subdivision may not restrict the right of the people to worship or to worship in person during a disaster emergency.

DIGEST OF SB 271 (Updated April 8, 2021 2:30 pm - DI 133)

Environmental matters. Provides that a property owner claiming the industrial waste control facility property tax exemption must: (1) provide a written statement attesting that the property claimed as exempt meets the requirements for the exemption; and (2) file the statement along with the exemption claim. Eliminates provisions under which the property owner must mail a copy of the exemption claim to the department of environmental management (department) and the assessor is required to allow the total exemption claimed by the property owner if the department does not certify its determination to the assessor within 120 days. Amends the law concerning the department's preparation of a list of impaired waters to provide for the list to be posted to the department's Internet web site instead of being published in the Indiana Register and to require that the list be made available for public comment for at least 45 days instead of at least 90 days. Requires the department to establish a state permit program for the implementation of federal regulations for the disposal of coal combustion residuals in landfills and surface impoundments. Requires the environmental rules board (board) to adopt rules for the establishment of the state permit program. Requires the department, not later than May 15, 2021, to notify the United States Environmental Protection Agency of its intention to establish the state permit program and seek federal approval of the program. Establishes the CCR program fund to pay costs incurred by the department in operating the state permit program and conducting program funding reviews. Changes, from January 1, 2022, to January 1, 2023, the expiration date of a noncode SECTION of HEA 1278-2019 concerning the adoption of rules to increase the amounts of certain environmental fees.

DIGEST OF SB 276 (Updated March 22, 2021 2:56 pm - DI 133)

Powers of guardian after death. Authorizes certain guardians to make certain arrangements and control the disposition of a decedent's body subsequent to the death of a protected person. Makes conforming amendments.

DIGEST OF SB 292 (Updated April 6, 2021 5:33 pm - DI 133)

Publication of health facility reporting. Requires the state department of health to compile case and death data related to COVID-19 reported by health facilities and residential care facilities in a specified manner and publish the information on the state department's Internet web site. Requires the state department to update the data at least every seven days. Provides that the reporting and publishing requirements expire April 1, 2022.

DIGEST OF SB 301 (Updated April 13, 2021 4:02 pm - DI 133)

Child services oversight. Establishes the interim study committee on child services (committee). Provides that the committee: (1) shall review the annual reports submitted by local child fatality review teams and by the statewide child fatality review committee and shall report to the legislative council regarding the committee's review of the reports; and (2) may make

recommendations regarding changes in policy or statutes to improve child safety; in addition to reporting to the legislative council regarding any other issue assigned to the committee by the legislative council. Provides that a local child fatality committee may meet at the call of members of the local child fatality committee other than the county prosecutor for purposes of the first meeting of the local child fatality committee. Requires the summary information included in the department's annual report regarding child fatalities to indicate, with regard to a child fatality that was the result of abuse or neglect, whether the child was a ward of the department at the time of the event that led to the child's death. Requires the department to provide the annual report to the committee. Urges the legislative council to assign the following topics to the committee, or to another appropriate study committee, for study during the 2021 legislative interim: (1) Amending the Indiana Code to provide for a structured, limited, confidential process by which members of the general assembly may, in the regular course of legislative duties, individually request and view reports and other materials regarding cases of child abuse or neglect and child fatalities resulting from abuse or neglect, while protecting personally identifying information and confidentiality. (2) The child fatality review process, including recommendations from the department and the state department of health with regard to improving reporting and data collection. Requires a local child fatality review committee that has not held its first meeting as of the effective date of the bill to hold its first meeting not later than December 31, 2021.

DIGEST OF SB 303 (Updated March 23, 2021 3:49 pm - DI 133)

Motor vehicle fuel matters. Provides that an underground storage tank may not be installed for the purpose of storing regulated substances unless the underground storage tank system meets the requirements of 40 CFR 280.32. Establishes new maximum vapor pressure limits for gasoline and for gasohol (a blend of gasoline and ethanol). Provides that a fuel dispenser from which a retail customer dispenses gasohol containing more than 10% and not more than 15% ethanol must display the statement "Attention: E15. Check owner's manual for compatibility and warranty requirements." or a similar statement approved by the United States Environmental Protection Agency. Requires that this statement be displayed on a fuel dispenser next to the fuel grade selection button, as a part of or in addition to the label about the use of ethanol in certain vehicles and certain engines that is required under current federal regulations. Makes the failure of an owner or operator of a fuel dispenser to comply with the gasohol dispenser statement requirement a Class A infraction.

DIGEST OF SB 304 (Updated April 5, 2021 6:35 pm - DI 133)

Indemnity agreements in public works contracts. Provides that a statute that invalidates indemnity agreements in construction contracts relating to providing certain professional services is applicable to such contracts relating to public works projects. Provides that a specified chapter does not apply to: (1) projects covered by INDOT's contractor qualification statute; or (2) a project that is the construction, improvement, alteration, repair, or maintenance of a highway, street, or road. Provides that a BOT agreement may provide for the transfer of a public facility to a governmental body by means of a lease or an installment contract. Defines certain terms.

DIGEST OF SB 310 (Updated April 22, 2021 12:25 pm - DI 87)

Alcoholic beverages. Allows a food hall that: (1) is located in a certified technology park; and (2) is not located in a historic district or historic building; to be eligible for a food hall master permit. Provides that a project that: (1) borders a lake that is at least 750 acres; and (2) is within a municipality; is eligible for a municipal riverfront development project retailer's permit. Allows a person who holds: (1) a restaurant permit in an economic development area; and (2) an interest in a brewery, farm winery, or artisan distillery (production facility) located on or adjacent to the restaurant; to sell alcoholic beverages manufactured at the production facility for carryout in the restaurant's general merchandising area and from a self-serving display. Provides that a minor may: (1) be in the restaurant's general merchandising area; and (2) participate in a nondrinking tour of the production facility, if the minor is accompanied by an adult family member.

DIGEST OF SB 316 (Updated March 30, 2021 4:23 pm - DI 140)

Military and veterans matters. Changes the definition of a "qualified service member" for purposes of eligibility under the military family relief fund (fund). Requires the Indiana veterans' affairs commission (commission) to: (1) develop, adopt, and issue a policy listing the disallowable separation codes of each branch of the armed forces; and (2) review the policy for amendment and adopt any necessary amendments before July 1 of each year. Provides that the department of veterans' affairs (department) may use not more than 10% of the average annual license plate revenue to cover direct costs associated with the marketing and promotion of the military relief fund. Specifies that the department may not use any of the amount for administrative costs, including payroll or any other overhead expenses. Provides that the department may deny an incomplete application for a grant under the fund if all required documentation is not received within 30 days after the date the applicant filed the application. Provides that, if an applicant appeals a denial of tuition and fee exemption benefits (benefits) not later than 15 days before the start of the semester for which the benefits would apply, the commission shall make a reasonable effort to issue a final order before the start of the semester.

DIGEST OF SB 325 (Updated April 21, 2021 12:54 pm - DI 77)

Hospitals. Requires certain nonprofit hospitals to hold an annual public forum for the purposes of: (1) obtaining feedback from the community about the nonprofit hospital's performance in the previous year; (2) discussing the pricing of health services provided at the nonprofit hospital; and (3) discussing the contributions made by the nonprofit hospital to the community. Requires a nonprofit hospital, at least 14 days before the public forum, to post on the nonprofit hospital's Internet web site: (1) a notice stating the date, time, location, and purposes of the public forum; and (2) information relating to the subjects to be discussed at the public forum. Allows the public forum to be held, either all or in part, through an interactive real time audio and video meeting that is accessible to the community through the Internet. Changes the date that ambulatory outpatient surgical centers are required to begin posting certain pricing information from March 31, 2021, to December 31, 2021. Specifies that the pricing information posted is the standard

charge rather than the weighted average negotiated charge and sets forth what is included in the standard charge. Specifies that if an ambulatory outpatient surgical center offers less than 30 additional services, the center is required to post all of the services the center provides. Requires a hospital to post pricing information in compliance with the federal Hospital Price Transparency Rule of the Centers for Medicare and Medicaid Services as in effect on January 1, 2021, if: (1) the federal Hospital Price Transparency Rule is repealed; or (2) federal enforcement of the federal Hospital Price Transparency Rule is stopped. Requires a health carrier to hold an annual public forum. Specifies information to be discussed at the health carrier public forum and information to be disclosed before the forum. Makes conforming changes.

DIGEST OF SB 329 (Updated March 23, 2021 3:49 pm - DI 133)

Flood control district board of commissioners. Provides that the board of commissioners of a flood control district includes: (1) the executive of each town and the executive of each township included in the district (instead of the town executive or the township executive); and (2) one individual appointed by the executive of each town in the district that does not have a works board. Provides that each commissioner of the flood control board, not holding other lucrative elective or appointive office, is entitled to a salary fixed by the board. Provides that the executive of the city petitioning for the establishment of the flood control district shall be the determining vote in the event of a tie.

DIGEST OF SB 332 (Updated April 20, 2021 4:00 pm - DI 87)

Publication of notice by political subdivisions. Allows a political subdivision, when required by statute to publish a notice two or more times, to make the first publication of notice in a newspaper and any subsequent publications of the notice on the official web site of the political subdivision. Requires the political subdivision or contractor that maintains the political subdivision's official web site to provide proof of publication of the notice on the official web site. Provides that if, with regard to a sheriff's sale of real property to execute a judgment, the sheriff is not able to procure publication of the notice in a newspaper of general circulation within the county, the sheriff may publish the notice on the Internet web site of each county where the real estate is located (instead of dispensing with the publication of notice entirely).

DIGEST OF SB 336 (Updated April 21, 2021 1:08 pm - DI 125)

Business personal property tax exemption. Increases, from \$40,000 to \$80,000, the acquisition cost threshold for the business personal property tax exemption. Makes a technical correction.

DIGEST OF SB 346 (Updated March 29, 2021 3:43 pm - DI 140)

Financial institutions and consumer credit. For purposes of the statutes governing: (1) first lien mortgage transactions; (2) the Uniform Consumer Credit Code; and (3) financial institutions; changes references to federal laws within those statutes from federal laws as in effect on

December 31, 2019, to federal laws as in effect on December 31, 2020. Amends the statute concerning loans made by a credit union to the credit union's members to eliminate certain requirements with respect to loans secured by real estate. Amends the definition of "check" for purposes of the statute governing licensed cashers of checks to remove a reference to a "personal money order".

DIGEST OF SB 348 (Updated April 21, 2021 1:23 pm - DI 101)

Wastewater task force. Establishes the task force on wastewater infrastructure investment and service to underserved areas (task force). Provides that the task force consists of the following 18 members: (1) Six members of the senate, with the president pro tempore appointing four members (one of whom serves as co-chair of the task force), and the minority leader appointing two members. (2) Six members of the house of representatives, with the speaker appointing four members (one of whom serves as co-chair of the task force), and the minority leader appointing two members. (3) Six gubernatorial appointees, including the following: (A) One officer or employee of the state. (B) One member representing operators of wastewater management systems. (C) One engineer, or another professional, with expertise in wastewater management systems. (D) One member representing ratepayers. (E) One member representing municipalities served by a wastewater operator not under the jurisdiction of the utility regulatory commission. (F) One member of the general public. Sets forth the duties of the task force. Requires the task force to develop a long term plan for addressing wastewater needs in Indiana. Requires the task force to issue a report setting forth its recommendations to: (1) the executive director of the legislative services agency for distribution to members of the general assembly; and (2) the governor; not later than December 1, 2021. Provides that the bill's provisions concerning the task force expire January 1, 2022. Establishes the water infrastructure grant program (program) to be administered by the Indiana finance authority (authority). Establishes the water infrastructure grant fund (fund) as a source of money for grants, loans, and other financial assistance to, or for the benefit of, participants in the program. Sets forth purposes for which money in the fund may be used, including the planning, designing, acquisition, construction, renovation, improvement, or expansion of: (1) water systems; and (2) wastewater or storm water collection and treatment systems. Requires the authority to adopt guidelines to establish criteria for the making of grants, loans, and other financial assistance from the fund. Sets forth certain conditions that apply to the making of grants, the making of loans, and the providing of other financial assistance from the fund. Requires the authority to establish a project prioritization system for the purposes of awarding loans and grants from the fund. Sets forth certain variables that the project prioritization system must include. Provides that the authority may provide advisory services and other services to a participant in connection with a grant, a loan, or other financial assistance from the fund. Requires the public finance director to submit to the budget committee and the legislative council, in each odd-numbered year through 2023, a report concerning grants, loans, or other financial assistance made available to participants from the fund.

DIGEST OF SB 349 (Updated April 5, 2021 6:36 pm - DI 133)

Financing, transfer, and improvement of utility assets. Requires that the priority ranking system used by the Indiana finance authority in making loans or other financial assistance from: (1) the drinking water revolving loan fund; or (2) the wastewater revolving loan fund; must prioritize loans securing longer term benefits over shorter term projects, all other factors being equal. Provides that not later than 60 days after the effective date of a change in the applicable federal or state income tax rate as a result of new legislation, a water or wastewater utility shall petition the utility regulatory commission (IURC) for a water or wastewater utility surcharge that adjusts the water or wastewater utility's rates and charges to provide recovery for the change in the federal or state income tax rate. Provides that a water or wastewater utility that serves fewer than 8,000 customers may, but is not required to, file a petition for such a surcharge. Provides that a surcharge shall be calculated to reflect the difference between: (1) the amount of federal or state income taxes that each existing rate or charge of the water or wastewater utility was designed to recover based on the income tax rate in effect at the time the rate or charge was approved; and (2) the amount of federal or state income taxes that would have been embedded in the given rate or charge had the new tax rate been in effect at the time of approval. Provides that a surcharge shall not include normalization of a water or wastewater utility's accumulated deferred income taxes. Provides that the IURC shall approve a proposed surcharge if the IURC finds that: (1) the surcharge has been calculated correctly; and (2) the water or wastewater utility's proposal is just and reasonable. Provides that an approved surcharge shall operate on a prospective basis. Amends the applicability language of the statute governing the transfer, acquisition, and improvement of utilities by municipalities to specify that the statute applies to a municipally owned electric, water, wastewater, or combined water and wastewater utility.

DIGEST OF SB 352 (Updated April 5, 2021 6:40 pm - DI 133)

Broadband development. Requires the office of community and rural affairs (office) to establish a process to be used before each formal submission of applications for grants from the rural broadband fund (fund) in which the office will: (1) invite any prospective grant applicant to submit a letter of intent identifying all addresses and census blocks that the applicant intends to include in a grant application; and (2) make all addresses and census blocks submitted in letters of intent publicly available for a period of time, during which eligible broadband service providers will have the opportunity to challenge a listed address or census block. Provides that challenges under the new process are to be based on the asserted deployment of "minimum broadband Internet" (defined as a terrestrial connection to the Internet that provides an actual speed of at least 25 megabits per second downstream and at least three megabits per second upstream) at a specific address. Specifies that the process established is to precede and remain distinct from the statutory procedures for actual grant applications. Provides that the department of transportation (INDOT) may require a private entity to agree, as a condition of INDOT leasing a right-of-way to the private entity, that facilities constructed or installed by the private entity in or under the right-of-way, which if removed would: (1) cause irreparable soil disturbance; or (2) have a detrimental effect on INDOT's facilities or on the facilities of other utilities; will be considered abandoned

without additional consideration, upon the private entity's written notice to INDOT. Provides that upon being abandoned, a facility may no longer be used for any purpose by any public or private entity.

DIGEST OF SB 358 (Updated April 6, 2021 5:33 pm - DI 133)

School buildings. Provides that before a governing body may sell, exchange, lease, demolish, hold without operating, or dispose of a school building, the governing body shall: (1) obtain a certification from the attorney general's office; and (2) make the building available for lease or purchase by a charter school or state educational institution. Provides that before a governing body may sell, exchange, lease, demolish, hold without operating, or dispose of a school building, the governing body must receive a certification from the attorney general to ensure that the governing body is in compliance with requirements for making a vacant school building available for sale or lease to a charter school or state educational institution for \$1. Requires the attorney general to investigate complaints that a school corporation has not complied with the requirements for making a vacant school building available for sale or lease to a charter school or state educational institution for \$1. Provides that, in the event that a complaint is substantiated, the attorney general, in consultation with the department of education (department) and Indiana state board of education (state board), is authorized to take any action necessary to remedy a substantiated complaint, which may include actions to be performed by the state board or the department to ensure compliance of a school corporation. Provides that, if a school corporation does not comply with the requirements to sell a vacant school building, as determined by the attorney general, the school corporation shall submit any proceeds from the sale of the vacant school building to the state board. Provides that the state board shall distribute proceeds collected equally between each charter school located in the attendance area of the school corporation. Provides that, if no charter schools are located in the attendance area, the state board must use the proceeds to provide grants under the charter school and innovation grant program. Provides that a lease of school property entered into by a governing body prior to January 1, 2019, with a state accredited nonpublic school shall remain in full force and effect. (Current law provides that a lease of school property entered into by a governing body prior to July 1, 2019, with a state accredited nonpublic school shall remain in full force and effect.) Provides that a school corporation is responsible for maintaining a vacant school building until it is: (1) sold or leased to a charter school or state educational institution; (2) sold to an accredited nonpublic school or postsecondary educational institution other than a state educational institution; or (3) eligible to be sold or otherwise disposed.

DIGEST OF SB 359 (Updated April 5, 2021 6:42 pm - DI 133)

Broadband projects. Requires the Indiana department of transportation (INDOT) to create a broadband corridor program (dig once program) to manage the location, installation, and maintenance of communications infrastructure that is used for the provision of broadband services and is located within the rights-of-way of limited access highways. Requires INDOT to adopt policies, procedures, and standards under the dig once program for required installation of fiber

conduit by a public or private entity that performs an excavation within a limited access highway right-of-way.

DIGEST OF SB 361 (Updated March 30, 2021 4:36 pm - DI 140)

Eyelash extension specialists. Requires the state department of health to adopt reasonable rules to ensure the sanitary operation of facilities where eyelash extensions are applied. Specifies that the rules must establish training and certification requirements for individuals applying eyelash extensions for members of the public. Exempts the application of eyelash extensions from the law regulating cosmetology.

DIGEST OF SB 365 (Updated March 30, 2021 4:40 pm - DI 140)

Immunity for physician wellness programs. Defines "wellness program". Specifies that the proceedings and deliberations of a wellness program are confidential. Specifies certain exceptions. Provides that all minutes, records, reports, written expert opinions, written communications, and other comparable memoranda prepared or created by a wellness program are privileged. Specifies certain exceptions. Prohibits all wellness program personnel and participants from revealing or disclosing the substance of wellness program communications, records, and determinations to any person or entity outside of the wellness program. Specifies certain exceptions. Allows a court to order in writing the release of confidential or privileged information belonging to a wellness program after a hearing if the court makes specified findings. Provides that the exchange of confidential or privileged information or memoranda between wellness groups does not result in the waiver of applicable confidentiality and privilege provisions. Provides that confidentiality and privilege provisions applicable to certain records do not make the records inaccessible to people or entities that would otherwise be eligible to receive or access the records under existing state or federal law. Provides that the confidentiality and privilege provisions applicable to wellness groups do not abrogate, limit, or restrict any other privacy protection applicable to a patient or the patient's health or medical information. Specifies that certain individuals may not be named as a party in a civil suit in connection with certain actions taken with respect to a wellness program. Provides that a member, consultant, or participant who comprises or participates in a wellness program is not required to report a licensed physician to the medical licensing board for any act, omission, statement, discovery, or disclosure unless the licensed physician presents a threat to himself or herself, to his or her patients, or to the general public.

DIGEST OF SB 368 (Updated April 8, 2021 2:30 pm - DI 133)

Juvenile justice. Provides for the automatic expungement of certain juvenile offenses. Prohibits a juvenile arrestee who meets certain requirements from being housed with adult inmates prior to trial, with certain exceptions. Establishes a procedure for determining juvenile competency. Provides that after a juvenile court has determined that a child is a dual status child, the juvenile court may refer the child to be assessed by a dual status assessment team under certain circumstances.

DIGEST OF SB 370 (Updated March 15, 2021 2:09 pm - DI 133)

Limitation on actions concerning deposit accounts. Amends the statute concerning the statute of limitations for actions upon promissory notes, bills of exchange, or other written contracts for the payment of money to include actions upon deposit accounts. Specifies that the bill's provisions are intended to be a restatement of the law and not a substantive change in the law and as such shall be applied with respect to deposit accounts executed during the applicable time frames set forth in the statute.

DIGEST OF SB 377 (Updated April 13, 2021 11:00 am - DI 133)

Broadband development. Establishes the Indiana broadband connectivity program (program) for the purpose of expanding availability of broadband Internet connectivity throughout Indiana. Provides that as part of the program, the office must establish a public broadband portal through which an individual may report that minimum broadband Internet (defined as a connection to the Internet at an actual speed of at least 25 megabits per second downstream and at least three megabits per second upstream) is unavailable at the individual's residential or business address. Provides that a broadband Internet provider may: (1) register with the program; (2) receive, at least every three months, listings of addresses submitted to the office as addresses at which minimum broadband Internet is unavailable; (3) report to the office any listed address at which the provider's minimum broadband Internet service is already available; and (4) bid for an award of a grant for purposes of extending connectivity to broadband Internet service (defined as a connection to the Internet at an actual speed of at least 50 megabits per second downstream and at least five megabits per second upstream) to an address at which minimum broadband Internet is unavailable. Provides that in evaluating any bids received under the program, the office shall select the provider whose bid presents the lowest cost to the state. Provides that a grant awarded to a provider under the program may not exceed the following: (1) A per-line extension amount that exceeds \$25,000, regardless of the number of addresses served by the line extension. (2) A per-passing amount that exceeds the state's cost per passing for all rural broadband grants awarded from the fund as of the last day of the immediately preceding state fiscal year. Requires the office to provide to the general assembly an annual report containing specified data regarding the program. Provides that the office may maintain a geographic information system (GIS) or similar data base that contains spatial data regarding the availability of broadband Internet service in Indiana. Provides that the office may evaluate the broadband Internet coverage map created by the Federal Communications Commission under the Broadband Deployment Accuracy and Technological Availability Act (FCC map) and: (1) if the office finds that the FCC map: (A) provides address level broadband Internet coverage information; or (B) provides a greater level of detail than the office's broadband Internet coverage map; use the FCC map to update the office's broadband Internet coverage map; or (2) if the office finds that the FCC map does not: (A) provide address level broadband Internet coverage information; or (B) provide a greater level of detail than the office's broadband Internet coverage map; report that finding to the interim study committee on energy, utilities, and telecommunications during the 2022 legislative interim.

DIGEST OF SB 381 (Updated March 18, 2021 11:54 am - DI 133)

Innkeeper's tax. Changes the distribution of part of the tax revenue in the Tippecanoe County innkeeper's tax fund (fund) so that 10% of the revenue in the fund is distributed to the department of natural resources for the development of projects in the state park and 20% of the revenue in the fund is distributed as determined by the county fiscal body. Provides that the Daviess County innkeeper's tax rate may not exceed 9%. Provides that all or part of the revenue received from imposition of the innkeeper's tax in Boone County may, subject to authorization by the county fiscal body, be pledged towards payment of obligations issued or entered into by a political subdivision in the county to finance the construction, acquisition, enlargement, and equipping of a sports and recreation facility. Provides for collection procedures of a county innkeeper's tax by the department of state revenue if a county fiscal body adopts an ordinance making a change concerning the imposition of the innkeeper's tax.

DIGEST OF SB 382 (Updated March 23, 2021 3:53 pm - DI 133)

Entrepreneur and enterprise district pilot program. Extends the duration of the entrepreneur and enterprise district pilot program (program) until the later of: (1) five years after the date on which it is designated as a district; or (2) December 31, 2024. (Currently, the program is set to expire in 2022.) Requires specific reporting requirements for the program established in the city of Fort Wayne.

DIGEST OF SB 383 (Updated April 22, 2021 12:33 pm - DI 120)

Various tax matters. Requires a corporation with gross income of more than \$1,000,000 to file its corporate income tax return in an electronic manner specified by the department of state revenue (department). Provides a sales tax exemption for a utility scale battery energy storage system. Provides a sales tax exemption for public safety equipment and materials. Provides certain procedures for reporting federal partnership audit adjustments for purposes of the state adjusted gross income tax and financial institutions tax in order to conform with changes in federal law. Provides that the department may prescribe procedures: (1) by which a pass through entity remits tax; (2) for persons or entities that are otherwise subject to withholding but that may have circumstances such that standard tax computation may result in excess withholding; (3) for individuals and trusts that are residents for part of the taxable year and nonresidents for part of the taxable year; and (4) by which an entity may request alternative withholding arrangements. Requires the daily pari-mutuel breakage on wagers to be paid to the department, instead of the auditor of state, for deposit in the appropriate breed development fund. Requires a utility provider to maintain records sufficient to document each one to one meter change. Allows a person to request that the department reissue an exemption certificate with a new meter number in the event of a one to one meter change. Removes duplicate provisions regarding electronic filing requirements for sales tax and withholding tax remittance. Removes certain unnecessary information currently required for employer withholding tax reporting forms. Specifies that the penalty provisions in current law for failure to make a payment by electronic funds transfer also

apply to a failure to make a payment by any other electronic means. Clarifies that an individual's estimated income tax filing and payment requirements include local income taxes. Clarifies the penalty calculation for failure to make estimated tax payments, including estimated utility receipts tax and financial institutions tax payments. Provides that a taxpayer may elect to claim a tax credit against the taxpayer's Indiana adjusted gross income tax liability for the amount of tax that is imposed in a foreign country but not due from the taxpayer under the laws of that foreign country until a tax year after the tax year in which the income subject to the foreign country's tax is included in the taxpayer's Indiana adjusted gross income (provides for retroactive application to tax years beginning after December 31, 2016). Sets a floor on the periodic change in the gasoline tax and the special fuel tax rates each year of not less than the rates in the preceding year. Provides that the fee to register a trailer that is registered under the International Registration Plan (IRP) shall be prorated based on the Indiana mileage percentage of the registrant's trucks and tractors registered under the IRP. Allows the department to release the name and business address of a person that is issued a retail merchant's certificate for the purpose of reporting the status of the person's certificate. Provides that the provision in current law requiring an out-of-state merchant to collect sales tax on retail transactions made in Indiana if certain threshold conditions are met extends to the following: (1) The waste tire management fee. (2) The fireworks public safety fee. (3) The prepaid wireless service charge. Provides that a township trustee casts the deciding vote to break a tie vote in the township board, except for a tie vote on increasing the township trustee's compensation. Makes a clarifying change to redevelopment tax credit provisions. Delays the expiration of provisions providing that a local income tax council for a county with a single voting bloc must vote as a whole in order to exercise its authority to increase (but not decrease) a local income tax rate in the county.

DIGEST OF SB 384 (Updated March 23, 2021 3:54 pm - DI 133)

Professional sports and convention development areas. Increases the maximum amount of covered taxes that may be captured in the Allen County PSCDA from \$3,000,000 to \$5,000,000. Provides for distribution of the covered taxes in the Allen County PSCDA as follows: (1) The first \$2,600,000 to the Allen County War Memorial Coliseum. (2) The next \$400,000 to the Allen County-Fort Wayne capital improvement board (board) for the Grand Wayne Center. (3) The remaining amount to the board to be split evenly between the Allen County War Memorial Coliseum and the Grand Wayne Center. Specifies the termination date of the Allen County PSCDA. Provides that the Evansville PSCDA (which is currently expired) is renewed beginning after June 30, 2021, for an additional 20 years, including the addition of the downtown convention center hotel to the Evansville PSCDA. Provides that the South Bend PSCDA (which is currently expired) is renewed beginning after June 30, 2021, for an additional 20 years, including the addition of three downtown hotels, the Howard Park event center, and facilities located at the Indiana University South Bend campus to the South Bend PSCDA. Provides that the maximum amount of covered taxes that may be captured in the renewed South Bend PSCDA is \$2,000,000 per year. Revises the expiration date for the PSCDA chapter.

DIGEST OF SB 385 (Updated March 18, 2021 11:55 am - DI 133)

Additional professional sports development area. Provides that an additional professional sports development area in Marion County must be established before July 1, 2024 (instead of July 1, 2022). Provides that taxes may not be collected in the additional professional sports development area until after the earlier of: (1) certain conditions having been met; or (2) June 30, 2023 (instead of June 30, 2021).

DIGEST OF SB 386 (Updated March 29, 2021 3:50 pm - DI 140)

Cost securitization for electric utility assets. Provides that an electric utility that has certain qualified costs that: (1) are associated with an electric generation facility that will be retired from service within 24 months; and (2) are equal to at least 5% of the electric utility's total electric base rate; may file a petition with the utility regulatory commission (IURC) for a financing order authorizing the securitization of the qualified costs. Provides that an "electric utility", for purposes of the bill, is a public utility that: (1) owns or operates any electric generation facility for the provision of electric utility service to Indiana customers; (2) is under the jurisdiction of the IURC; and (3) has a total of not more than 200,000 retail electric customers. Provides that not later than 240 days after a petition for a financing order is filed, the IURC shall conduct a hearing and issue an order on the petition. Provides that in issuing a financing order for cost securitization, the IURC must find that: (1) the electric utility has proposed a reasonable mechanism to reflect a reduction in the electric utility's base rates and charges upon the assessment of securitization charges on customer bills, so as to remove any qualified costs from the electric utility's base rates; and (2) the mechanism will provide timely rate savings for customers. Provides that in issuing a financing order for cost securitization, the IURC must find that the electric utility will make capital investments in Indiana in an amount equal to or exceeding the amount of the electric utility's qualified costs, over a period of not more than seven years immediately following the issuance date of the securitization bonds. Provides that if the IURC makes the required findings with respect to the petition, the IURC shall issue a financing order that authorizes: (1) the issuance of securitization bonds with a term of not more than 20 years; (2) the collection of securitization charges from the electric utility's customers; and (3) the encumbrance of the resulting securitization property with a lien and security interest. Provides that qualified costs authorized in a financing order shall be allocated to the electric utility's customer classes using the same cost allocation methodology approved by the IURC in the electric utility's most recent base rate case, subject to certain exceptions. Provides that if an electric utility does not cause securitization bonds to be issued not later than 90 days after the date of a final, non-appealable financing order, the electric utility shall file a statement of abandonment with the IURC stating the reasons for the abandonment. Provides that a financing order issued by the IURC under these provisions must include a mechanism: (1) requiring that securitization charges be reviewed and adjusted by the IURC at least annually; and (2) allowing an electric utility, on its own initiative, to apply to the IURC at any time during a calendar year for an adjustment of its securitization charges, as the electric utility determines to be necessary; to correct any over collections or under collections of securitization charges, and to ensure the recovery of amounts sufficient to timely make all

payments of debt service in connection with the securitization bonds. Sets forth provisions concerning the encumbrance of securitization property with a lien and security interest, including provisions concerning: (1) the attachment and perfection; and (2) the priority; of a security interest in securitization property. Specifies that securitization bonds are not: (1) a debt or obligation of the state; or (2) a charge on the state's full faith and credit or on the state's taxing power. Pledges that the state will not: (1) take or permit any action that would impair the value of securitization property; or (2) reduce, alter, or impair related securitization charges; until certain obligations in connection with the related securitization bonds have been paid or performed in full. Requires the IURC to adopt rules to implement these provisions. Urges the legislative council to assign to the interim study committee on energy, utilities, and telecommunications (committee) the task of studying during the 2022 legislative interim: (1) the implementation; and (2) use by electric utilities; of the bill's provisions concerning the securitization of costs for retired electric utility assets. Provides that if the committee is assigned to study this topic, the committee: (1) shall consider available data and other information concerning participating electric utilities to which the IURC has issued a financing order under the bill's provisions; (2) may request this data and information from certain parties; and (3) shall, not later than November 1, 2022, submit to the legislative council a report setting forth the committee's findings and recommendations, including the committee's recommendations as to whether to allow, under the bill's provisions, additional electricity suppliers to securitize costs associated with retired electric utility assets.

DIGEST OF SB 389 (Updated April 13, 2021 2:07 pm - DI 133)

Wetlands. Amends the law requiring a permit and compensatory mitigation for "wetland activity" (the discharge of dredged or fill material) in a state regulated wetland: (1) by changing the definition of "Class II wetland"; (2) by providing that wetland activity may be conducted without a permit: (A) in a Class I wetland; (B) in a Class II wetland with an area of not more than three-eighths acre; (C) in an ephemeral stream; and (D) in a Class II wetland that is located within the boundaries of a municipality and has an area of not more than three-fourths acre; (3) by providing that a permit is not needed for the development of cropland that has been used for agricultural purposes: (A) in the five years immediately preceding the development; or (B) in the 10 years immediately preceding the development if the United States Army Corps of Engineers has issued a jurisdictional determination confirming that the cropland does not contain wetlands subject to federal jurisdiction; (4) by providing that wetland activity in a Class II wetland with an area of more than three-eighths acre requires an individual permit; (5) by providing that: (A) maintenance of a field tile in a Class II wetland can be conducted with a general permit if certain conditions are met; and (B) maintenance of a field tile in a Class III wetland can be conducted with a general permit if certain conditions are met and the applicant obtains a site-specific approval; (6) by establishing conditions for obtaining a site-specific approval; (7) by eliminating the compensatory mitigation requirements for wetland activity in a Class I wetland; and (8) by requiring the department of environmental management (department) to make a decision to issue or deny an individual permit for wetland activity not later than 90 days (instead of 120 days) after receiving the completed application. Amends the law concerning a certification under Section 401 of the federal Clean Water Act for dredge and fill activity in a federally regulated wetland to

require the department to make a final determination not later than 90 days (instead of 120 days) after receiving a completed application if the applicant requests a pre-coordination meeting. Establishes the Indiana wetlands task force, a 14 member body that: (1) is required to study and make recommendations concerning a number of wetlands issues; and (2) not later than November 1, 2022, issue a report to the general assembly and the governor setting forth its recommendations. Requires the department of natural resources to provide staff support to the task force.

DIGEST OF SB 392 (Updated April 8, 2021 2:31 pm - DI 133)

Marion County zoning. Adds provisions that do the following: (1) Provide that the legislative body and the board of zoning appeals (BZA) of Lawrence, Speedway, Southport, and Beech Grove in Marion County (excluded city) have exclusive territorial jurisdiction within the excluded city's boundaries. (2) Require (rather than allow) the excluded city legislative body to conduct a hearing, acting as the plan commission, on a proposed zone map amendment affecting property within the excluded city. Provides that the excluded city legislative body (instead of the consolidated city and county legislative body) makes the decision regarding the zone map amendment. (3) Allow a member of the excluded city legislative body to appeal a decision of the BZA to the excluded city legislative body. (4) Provide that the excluded city legislative body's decision on the appeal is subject to judicial review. Requires all townships to be represented across all the divisions of the board of zoning appeals. Provides that not more than two members appointed to each division of the board of zoning appeals may be residents of the same township. Requires the appointing authority to consult with the township executive regarding the appointments. Requires appeals and applications for variances, special exceptions, special uses, contingent uses, and conditional uses to be allocated to a division of the board of zoning appeals that has at least one member who is a resident of a township in which the property is located that is the subject of the appeal or application.

DIGEST OF SB 396 (Updated March 30, 2021 4:44 pm - DI 140)

1977 pension and disability fund. Amends the definition of "salary of a first class patrolman or first class firefighter" for the purpose of benefits paid from and contributions made to the 1977 police officers' and firefighters' pension and disability fund (fund). Establishes certain requirements if an employer certifies a new salary under IC 36-8-8-6.5. Changes the maximum age for an applicant to a police department from 35 to 39 years of age. Requires an employer that participates in the fund and provides longevity increases to pay an amount greater than or equal to the longevity increase paid in the previous year. Requires employers to provide reports or records requested by the system board, and permits the system board to fine the employer for each day that reports or records are late. Provides that an alleged failure of an employer to make required payments to the 1977 fund may be examined by the state board of accounts or by the Indiana public retirement system. Requires employers to submit, both annually and at the request of the system board, the salary of a first class patrolman or firefighter.

Various elections matters. Provides that a political subdivision that conducts or administers an election may not receive or expend funds received from a person (other than from the state or from the federal government) for preparing, administering, or conducting elections, including registering voters. Requires the election division (instead of the Indiana election commission) to prescribe a uniform generic seal for use on certain ballots when the circuit court clerk is a candidate on the ballot. Requires certification by the county chairman of a candidate in a political party primary or town convention if the candidate cast a nonpartisan ballot at the most recent primary election in which the candidate voted. Requires that the notice of an election must include the dates, times, and locations of voting at the circuit court clerk's office and at satellite offices. Provides that notices of elections must be published not later than 21 days before election day. (Under current law, these notices must be published at least 10 days before the date of the election.) Prohibits the printing of an independent or political party device on a ballot under specified circumstances. Specifies ballot placement of names when there are both at-large and district candidates in an election district. Specifies the manner in which a voter with print disabilities may request certain applications. Requires the secretary of state to develop a system relating to on-line ballot applications that complies with the Web Content Guidelines for accessibility. Provides that a member of the Indiana National Guard deployed or on assignment inside Indiana is entitled to vote by mail. Specifies that absent uniformed services voters or overseas voters are entitled to vote by mail using a combined form. Requires counties to mail absentee ballots by nonforwardable mail. Specifies the list of household family members who may assist an absentee voter. Prohibits counting a ballot that is deposited in a drop box or container that is not under the physical control and supervision of the county election board. Allows a county election board by unanimous vote to authorize an absentee voter board to visit a voter to complete an absentee ballot application and provide the voter with an absentee ballot. Permits absentee travel boards to use optical scan ballot card marking devices. Requires locations where absentee in person voting occurs to meet accessibility standards that apply to polling locations on election day. Prohibits a ballot label including a straight party ticket option in specified circumstances. Establishes standards for a marking device used in a voting system that contains features of both a ballot card voting system and an electronic voting system and produces a ballot card with the voter's choices. Establishes standards for voter verifiable paper audit trails. Establishes procedures for obtaining a replacement absentee ballot. Requires a county to compare signatures upon receipt of an absentee ballot and specifies the procedure. Sets forth a procedure if a county election board does not unanimously determine that an absentee ballot signature is genuine. Extends the time in which an absentee ballot must be received on election day from noon to 6 p.m. Allows all counties to open absentee ballot envelopes by machine (current law only allows for Marion County to use a machine to open ballots). Establishes procedures and forms for the curing of mismatched signatures involving an absentee ballot and unsigned absentee ballots. Allows an individual who is not a voter to serve as an absentee board member. States that the position of an absentee ballot counter or a provisional ballot counter is not a lucrative office for purposes of the Constitution of the State of Indiana. Allows a member of the Indiana state recount commission to appoint a proxy. Provides for a Level 6 felony for inducing or procuring another

person to vote or refrain from voting for or against a candidate or public question at: (1) a caucus; or (2) the appointment of a candidate by a political party chairman or central committee officer; by giving, offering, or promising a person money or other property. Changes the deadline for certification of a public question relating to certain school referenda from 60 days to 74 days before the election. Specifies that individuals who change residence to outside of a school corporation less than 30 days before the election may not vote on public questions relating to the school corporation. Repeals language concerning absentee ballots (moving some language to central voting statutes). Makes technical corrections.

DIGEST OF SB 400 (Updated March 16, 2021 2:39 pm - DI 133)

Statewide electronic lien and title system. Requires the bureau of motor vehicles (bureau) to implement a statewide electronic lien and title system (system) to process: (1) vehicle titles; (2) certificate of title data in which a lien is notated; and (3) the notification, maintenance, and release of security interests in vehicles; through electronic means instead of paper documents. Provides that the bureau may: (1) contract with one or more qualified vendors to develop and implement a system; or (2) develop an interface to provide qualified electronic lien service providers secure access to data to facilitate the creation of a system. Sets forth certain requirements that apply if the bureau elects to implement the system through a qualified vendor versus through qualified electronic lien service providers. Specifies that a contract entered into between the bureau and: (1) a qualified vendor; or (2) a qualified electronic lien service provider; may not provide for any costs or charges payable by the bureau to the qualified vendor or the qualified electronic lien service provider. Sets forth dates by which the bureau must implement and allow or require the use of: (1) a statewide electronic lien system; and (2) a statewide electronic title system. Sets forth certain conditions that apply to the use of a statewide electronic lien system implemented by the bureau under these provisions. Provides that under certain circumstances, the bureau may not charge state agencies or their agents with certain fees associated with the statewide electronic lien and title system. Authorizes the bureau to adopt rules, including emergency rules, to implement these provisions.

DIGEST OF SB 409 (Updated April 22, 2021 12:50 pm - DI 87)

Township matters. Makes changes to the information required in the township's annual report. Requires the township trustee to annually certify and note on the township budget submitted to the department of local government finance's computer gateway that the township's uniform written standards for township assistance have been filed with the board of county commissioners. Allows a township trustee to be appointed as a director of a county building authority. Provides that a township is not required to publish the portion of its annual abstract of receipts and expenditures that provides statements of: (1) receipts, showing their source; and (2) expenditures, showing the combined gross payment, according to classification of expense, to each person. Provides that the abstract must state that a complete abstract containing the statements described in (1) and (2) is filed with and available for public inspection in the county auditor's office. Aligns the township trustee's maintenance duties regarding township cemeteries with the township trustee's

maintenance duties as to other cemeteries maintained by the township.

DIGEST OF SB 413 (Updated April 22, 2021 11:49 am - DI 116)

Charter school study committee. Establishes a panel to study charter school funding and methods for improving school building utilization by a school corporation.

DIGEST OF SB 414 (Updated April 22, 2021 11:51 am - DI 116)

Various education matters. Provides that the department of education (department) may adopt and provide to schools an early warning system that provides actionable data on students as early as elementary school. Provides that, not later than August 1, 2021, the department may contract with one or more vendors to provide an early warning system. Provides that, not later than January 1, 2022, each school corporation and charter school shall: (1) adopt and implement an Internet use policy; and (2) use hardware or install software on computers and other technology related devices owned by the school corporation or charter school to filter or block Internet access to materials that are harmful to minors. Requires each school corporation and charter school to post the Internet use policy on the school corporation's or charter school's Internet web site. Requires pupil enrollment for the career and technical education enrollment grant to, for informational purposes only, be determined at the same time that a school corporation's spring count of ADM is determined.

DIGEST OF SB 416 (Updated April 13, 2021 2:15 pm - DI 133)

Hospitals and certificates of public advantage. Establishes a certificate of public advantage (certificate) pertaining to mergers between hospitals located in counties that meet certain requirements to be issued by the state department of health (state department). Provides that a hospital that has been issued a certificate may not be purchased by another hospital or system of hospitals unless the purchase has been approved by the Federal Trade Commission. Sets forth the procedure and standards for obtaining a certificate and maintaining the certificate. Requires the state department to establish fees for the application of a certificate and the monitoring of an entity holding a certificate in an amount reasonably sufficient to fully fund the costs of the review and supervision of the application. Provides that for the first five years that a hospital is operating under a certificate the hospital: (1) may not increase the charge for each individual service that the hospital offers by more than the increase in the Consumer Price Index for Medical Care; and (2) must invest the realized cost savings for the benefit of the community. Requires a hospital the has been issued a certificate to file an annual report. Allows the office of the attorney general to issue an investigative demand concerning the issuance or maintenance of a certificate. Provides for an appeal of a determination made by the state department concerning the issuance or maintenance of a certificate.